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SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.
SIDNEY.STRICKLAND@STRICKLANDPLLC.COM

February 26, 2007

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001


**Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company —
Abandonment Exemption – in Thurston County, WA**

Dear Secretary Williams:

Enclosed please find an original and 10 copies of the Verified Notice of Exemption under 49 C.F.R. § 1152.50 for filing with the Board in the above-referenced matter.

Also enclosed is a check in the amount of \$3,100.00 for the filing fee.

Very truly yours,


Sidney L. Strickland, Jr.
Attorney for BNSF Railway Company

FEB 26 2007

FEB 26 2007

FREE RECEIVED

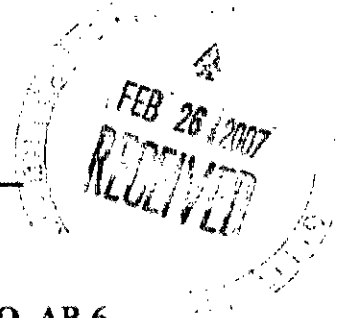
ENTERED
Office of Proceedings

FEB 26 2007

SURFACE
TRANSPORTATION BOARD

STB Docket No. AB-6 (Sub. No. 448X)

**BEFORE THE
SURFACE TRANSPORTATION BOARD**



**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN THURSTON COUNTY, WA**

**DOCKET NO. AB-6
(SUB. NO. 448X)**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1152.50**

BNSF RAILWAY COMPANY
2650 Lou Menk Drive
P.O. Box 96157
Fort Worth, TX 76161-0057

By: SIDNEY L. STRICKLAND, JR
ELIZABETH E. WAITE
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W.,
Suite 101
Washington, DC 20007
(202) 338-1325

Attorneys for BNSF Railway Company

DATE FILED: February 26, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN THURSTON COUNTY, WA**

**DOCKET NO. AB-6
(SUB. NO. 448X)**

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1152.50**

BNSF RAILWAY COMPANY (BNSF) ("Applicant") files this Verified Notice of Exemption under 49 C.F.R. 1152 Subpart F- Exempt Abandonments (49 C.F.R. § 1152.50) for BNSF to abandon a rail line that extends between Engineering Station 476 + 09 and Engineering Station 521 + 42, near Olympia in Thurston County, Washington (the "Line"), a total distance of 0.86 miles.

The Line is depicted in a map that is attached to this Notice as Appendix 1.

Responses to 49 C.F.R. § 1152.50(d)(2):

I. *Proposed consummation date for the abandonment.*

The proposed consummation date of this abandonment will be at least 50 days from the filing date of February 26, 2007, which is April 17, 2007.

II. *Certification required in 49 C.F.R. § 1152.50(b)*

The required certification is attached hereto as Appendix 2.

III. *Information required by 49 C.F.R. § 1152.22(a)(1-4), (7) and (8) and (e)(4).*

(a) General

(1) Exact name of Applicant.

BNSF Railway Company (BNSF).

- (2) *Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.*

Applicant is a common carrier by railroad subject to
49 U.S.C. Subtitle IV, Chapter 105.

- (3) *Relief sought (abandonment of line or discontinuance of service).*

BNSF seeks to use the class exemption from Surface
Transportation Board approval authorizing the abandonment of the
Thurston County Line specified above.

- (4) *Detailed map of the subject line.*

See Appendix 1.

- (7) *Name, title and address of representative of applicant to whom
correspondence should be sent:*

Sidney L. Strickland, Jr.
Sidney Strickland and
Associates, PLLC
3050 K Street, N.W.
Suite 101
Washington, DC 20007
(202) 338-1325

Attorney for BNSF

- (8) *List of all United States Postal Service ZIP Codes that the line
traverses.*

The Line traverses United States Postal Service Zip Code 98502.

- (e)(4) *Statement of whether the properties proposed to be abandoned are
suitable for other public purposes, including roads or highways,
other forms of mass transportation, conservation, energy
production or transmission or recreation. If the applicant is aware
of any restriction on the title to the property, including any*

reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

The properties of the proposed abandonment appear to be appropriate for other public purposes. Based on information in our possession, there are no federally granted rights-of-way within the corridor. Any documentation in the railroad's possession will be made available promptly to those requesting it.

IV. *Level of Labor Protection.*

The interests of railroad employees who may be adversely affected by the proposed abandonment will be adequately protected by the labor protective conditions set forth in *Oregon Short Line RR Co. - Abandonment - Goshen*, 360 I.C.C. 91 (1979).

V. *Certification that Applicants have complied with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11.*

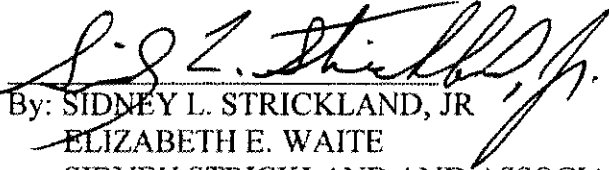
The required certifications are set forth in Appendix 3 to this Notice of Exemption.

VI. *Environmental and Historic Reports.*

A combined Environmental and Historic Report is attached to this Notice of Exemption as Appendix 4.

Respectfully submitted,

BNSF RAILWAY COMPANY
2650 Lou Menk Drive
P.O. Box 96157
Fort Worth, TX 76161-0057



By: SIDNEY L. STRICKLAND, JR

ELIZABETH E. WAITE

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K Street, N.W.

Suite 101

Washington, DC 20007

(202) 338-1325

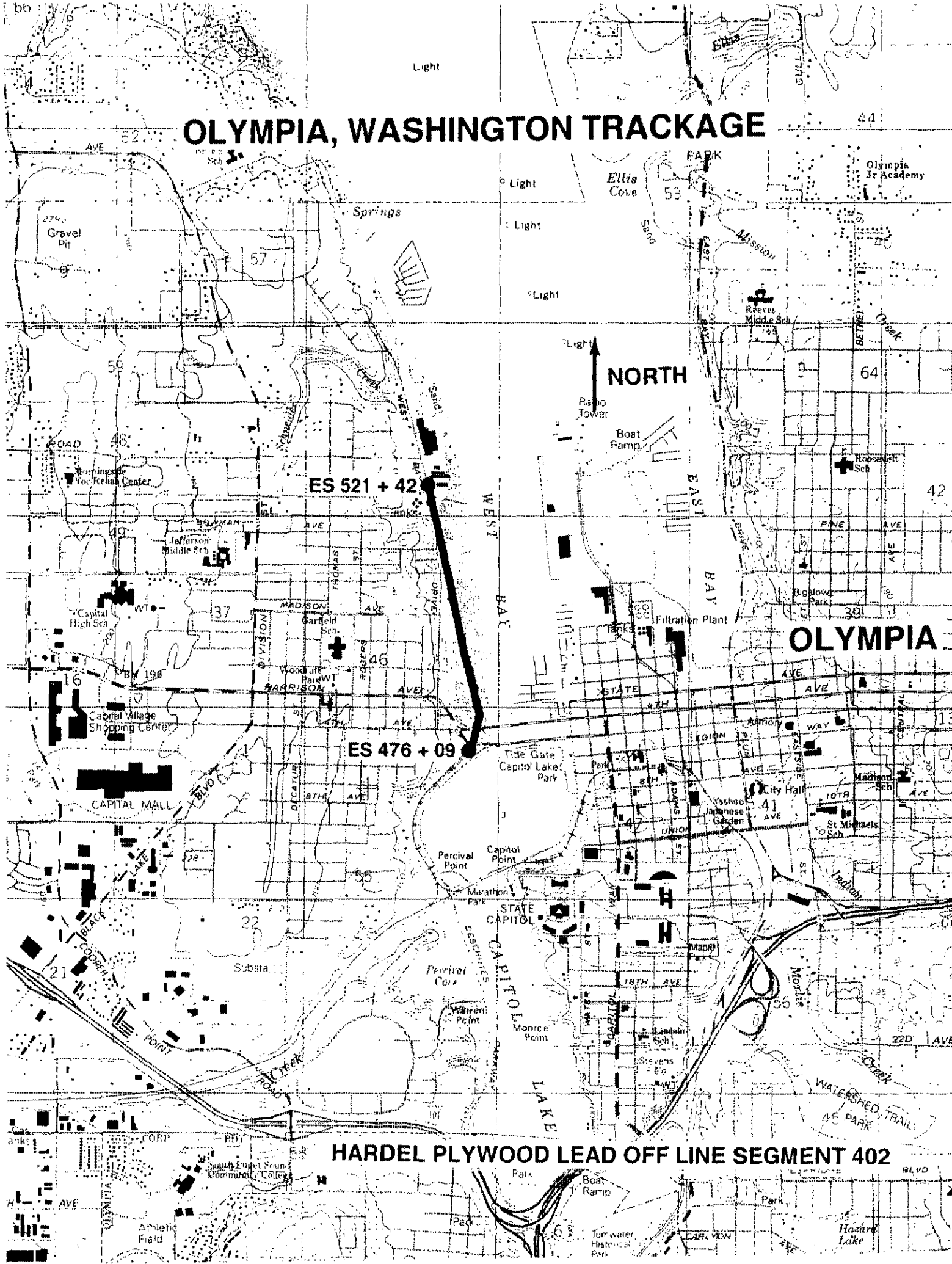
Attorneys for BNSF Railway Company

DATE FILED: February 26, 2007

APPENDIX 1

Detailed Map of the Line

OLYMPIA, WASHINGTON TRACKAGE



HARDEL PLYWOOD LEAD OFF LINE SEGMENT 402

APPENDIX 2


Certification Required in 49 C.F.R. § 1152.50(b)

**VERIFICATION AND CERTIFICATION THAT RAIL LINE MEETS
CRITERIA OF 49 C.F.R. SECTION 1152.50(b)**


I, Susan Odom, being duly sworn and deposed state that, as Manager, Network Strategy in the Network Development department of BNSF Railway Company ("BNSF"), I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief.

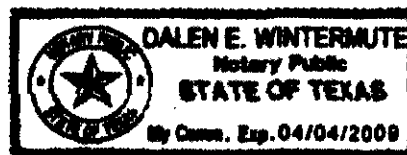
In accordance with 49 C.F.R. § 1152.50(b), I hereby certify that, with respect to the line which is the subject of the Notice of Exemption filed in Docket No. AB-6 (Sub-No. 448X), no local traffic has moved on the line for at least two (2) years prior to the date hereof. Also, any overhead traffic handled on the Line will be rerouted. Further, no formal complaint filed by a user of rail service on the Line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of a complainant within the two-year period.

The foregoing certification is made on behalf of BNSF by the undersigned after due and careful investigation of the matters herein certified and based on the best of the knowledge, information, and belief of the undersigned


Susan Odom
Manager, Network Strategy

Subscribed and sworn to before me the
22nd day of February, 2007.





APPENDIX 3

***Certifications that Applicant Has Complied with the Notice Requirements
of 49 C.F.R. §§ 1152.50(d)(1) and 1105.11***

CERTIFICATE OF SERVICE

Pursuant to 49 C.F.R. § 1152.50(d)(1), the undersigned hereby certifies that notice of the proposed abandonment in Docket No. AB-6 (Sub. No. 448X) was mailed via first class mail on February 12, 2007 to the following parties:

Washington Utilities and Transportation
Commission
P.O. Box 47250
1300 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250

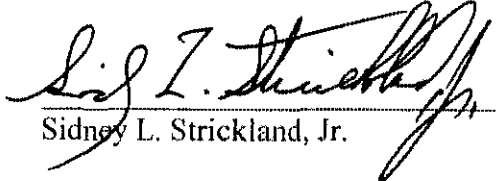
Military Traffic Management Control
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, #130
Newport News, VA 23606-2574

U.S. Department of the Interior
National Park Service
Recreational Resources Assistance Division
1849 C Street, NW
Washington D.C. 20240-0001

Washington State Department of Transportation
Public Transportation and Rail Division
P.O. Box 47387
Olympia, WA 98504-7387

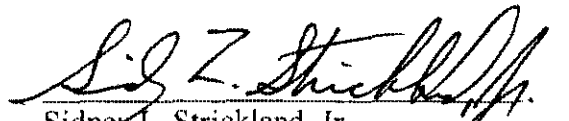
U.S. Department of Agriculture
Chief of the Forest Service
4th Floor N.W., Yates Building
201 14th Street, S.W.
Washington, DC 20250

Dated February 26, 2007


Sidney L. Strickland, Jr.

**CERTIFICATION OF COMPLIANCE WITH THE NEWSPAPER
PUBLICATION REQUIREMENTS OF SECTION 49 C.F.R. § 1105.12**

The undersigned certifies that a "Notice of Intent to Abandon Rail Service" was published in the form prescribed by the Board for out of service abandonment exemptions. The notice was published one time in the following newspaper of general circulation in Thurston County, Washington: *The Olympian*. Publication of the notice was accomplished on February 16, 2007. An Affidavit of Publication and a copy of the publication are attached.


Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K Street, NW
Suite 101
Washington, DC 20007
Phone: (202) 338-1325

Affidavit of Publication

STATE OF WASHINGTON

County of Thurston County

SS.

Legal #4083

STB Docket No. AB-6 (Sub. No. 448X)

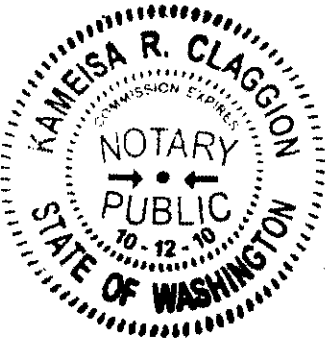
NOTICE OF INTENT TO ABANDON RAIL SERVICE

BNSF RAILWAY COMPANY (BNSF) gives notice that on or about February 22, 2007, it intends to file with the Surface Transportation Board (the Board), Washington, DC, 20423, a notice of exemption under 49 CFR 1152 Subpart F-Exempt Abandonments permitting the abandonment of the 0.86 miles of railroad line between Engineering Station 476 + 09 and Engineering Station 521 + 42, near Olympia in Thurston County, Washington. The rail line traverses through United States Postal Service Zip Code 98502. The proceeding will be docketed as STB Docket No. AB-6 (Sub. No. 448X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis (SEA), Surface Transportation Board, Washington, DC 20423 or by calling that office at 202-565-1545.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423-0001 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use, or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Sidney Strickland, Sidney Strickland and Associates, PLLC, 3050 K Street, Suite 101, Washington, DC, 20007-5108, (202) 338-1325.

Publish: February 16, 2007



The Olympian has been appointed as a legal newspaper by order of the Superior Court of the State of Washington for Thurston County, dated July 10, 1941, in the county in which said newspaper is published in accordance with RCW 65.16.020 and RCW 63.16.040.

The undersigned being first duly sworn on oath deposed and says: That she is the Principal Clerk of The Olympian which is a legal newspaper printed and published in the city of Olympia, Thurston County, Washington: of general circulation in said City, County and State;

that the
In the case of

Notice of Intent to Abandon Rail Service BNSF Railway Company--Strickland and Associates

of which the attached is a printed copy, was published in said newspaper:

On the	16th	day of	February	2007
the		day of		2007
the		day of		2007
the		day of		2007
the		day of		2007
the		day of		2007

that the said newspaper was generally circulated during all of said time, and has been published for more than six months prior to the dates of the publication of this legal document, and that said notice was published in the newspaper proper and not in supplement form.

The amount of fee charged for this publication **\$203.50--Prepay**

Principal Clerk

Subscribed and sworn to me this 16th day of
FEBRUARY 2007

Notary Public in and for the State of Washington
Residing at Olympia, Thurston County, Washington

Note - The above affidavit and fee is in compliance with RCW 63.16.030 and Sec. 3, Chapter 34, Laws of 1977.

CERTIFICATION PURSUANT TO 49 C.F.R. 1105.7(c) and 8(c)

BNSF Railway Company ("BNSF"), by and through its authorized representative, Sidney L. Strickland, Jr., certifies that on February 2, 2007, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

Ms. Victoria Rutson
Chief, SEA
Surface Transportation Board
1925 K Street, N.W.
Washington D.C. 20423-0001

U.S. Bureau of Land Management
1103 N. Fancher Road
Spokane, WA 97212-1200

Jim Green
Seattle District Corps of Engineers
Regulatory Branch
South Branch South Application
Review Section
P.O. Box 3755
Seattle, Washington 98124-3755

Washington Department of Fish and Wildlife
600 Capitol Way N.
Olympia, WA 98501-1091

Washington State Parks and Recreation
Commission
7150 Cleanwater Drive S.W.
P.O. Box 42650
Olympia, WA 98504-2650

Clifford J. Villa
Assistant Regional Counsel
U.S. EPA, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Todd Stamm, Senior Planner
Community Planning and Development Dept.
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1607

USDA Natural Resource Conservation Service
West 316 Boone Avenue
Suite 450
Spokane, WA 99201

U.S. Fish and Wildlife Service, Region 1
Eastside Federal Complex
911 NE 11th Avenue
Portland, OR 97232-4181

Department of Ecology
300 Desmond Drive
P.O. Box 47600
Olympia, WA 98504-7600

Brian Lynn
Shore Lands and Coastal Zone
Management Program
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Russell Holter, Project Compliance Reviewer
Office of Archeology and Historic Preservation
P.O. Box 48343
Olympia, WA 98504-8343

Gregory F. Gress, Chief
Pacific Land Resources Program Center
U.S. National Park Service, Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607-4807

Washington State Department of Transportation
Public Transportation and Rail Division
P.O. Box 47387
Olympia, WA 98504-7387

Olympia Planning Commission
c/o Jan Weydemeyer, Senior Planner
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1967

Jim Amador
Marine Terminal Director
Port of Olympia
915 Washington Street NE
Olympia, WA 98501

David Hanna, Associate Director
Olympia Parks, Arts & Recreation Dept.
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1607

Charles Natsuhara
Area Resource Soil Scientist
Natural Resources Conservation Service
1011 East Main, Suite 106
Puyallup, WA 98372

Bill Schuger
Bureau of Land Management
Wenatchee Resource Area
915 Walla Walla
Wenatchee, WA 98801

Kevin Farrell
Floodplain Management Specialist
Department of Ecology
300 Desmond Drive
P.O. Box 47600
Olympia, WA 98504-7600

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Springs, MD 20910-3282

Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504

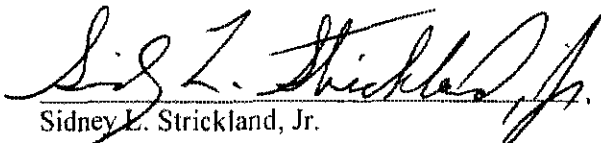
Andrew Wood
Freight Rail Program and Project Manager
Washington State Department of Transportation
Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300

John Grettenberger, Supervisor
Transportation and Planning Branch
U.S. Fish and Wildlife Service
510 Desmond Drive SE
Suite 102
Lacey, Washington 98503

Deborah Coronett
Washington Department of Ecology
Water Quality Program
P.O. Box 47775
Olympia, WA 98504-7775

Tom Hill
City of Olympia
Department of Community Planning and
Development
P.O. Box 1967
Olympia, WA 98507-1967

The required cover letters (pursuant to 49 C.F.R. 1105.11) are attached hereto. BNSF has consulted with all appropriate agencies in preparing the reports.


Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K Street N.W.,
Suite 101
Washington, D.C. 20007

APPENDIX 4

Environmental and Historic Reports

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN THURSTON COUNTY, WA**

**DOCKET NO. AB-6
(SUB. NO. 448X)**

ENVIRONMENTAL AND HISTORIC REPORTS

BNSF RAILWAY COMPANY
2650 Lou Menk Drive
P.O. Box 96157
Fort Worth, TX 76161-0057

By: SIDNEY L. STRICKLAND, JR.
ELIZABETH E. WAITE
SIDNEY STRICKLAND AND ASSOCIATES
3050 K Street, N.W.
Suite 101
Washington, DC 20007
(202) 338-1325

Attorneys for BNSF Railway Company

DATED: February 2, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

**BNSF RAILWAY COMPANY --
ABANDONMENT EXEMPTION --
IN THURSTON COUNTY, WA**

**DOCKET NO. AB-6
(SUB. NO. 448X)**

**ENVIRONMENTAL AND HISTORIC REPORTS
(49 C.F.R. 1105.7 AND 49 C.F.R. 1105.8)**

Pursuant to 49 C.F.R. § 1105.7 and § 1105.8, BNSF Railway Company (BNSF) (referred to as "Applicant") hereby files Environmental and Historic Reports. These Reports constitute Applicant's assessment of the environmental effects and historic effects of abandonment of rail service on the involved rail line. Persons who review these Reports are entitled to provide comments to the Surface Transportation Board (STB), Section of Environmental Analysis (SEA), 1925 K Street, N.W., Suite 500, Washington, DC 20423. There is information in the Applicant's files to indicate that the rail line covered by these Reports does not contain a federally granted right-of-way. *See* 49 C.F.R. § 1152.60(d). These Reports have been prepared in conjunction with the prospective filing of a Notice of Exemption for abandonment of the involved rail line. STB regulations provide that the Notice of Exemption cannot be filed until at least 20 days after these Reports are submitted.

I
ENVIRONMENTAL REPORT
(49 C.F.R. 1105.7)

The following information is submitted to the STB by BNSF in accordance with the Board's reporting requirements as set forth in 49 C.F.R. § 1105.7 for the purpose of assisting the Board's preparation of an environmental document regarding BNSF's Notice of Exemption seeking authority to abandon 0.86 miles of railroad line between Engineering Station 476 + 09 and Engineering Station 521 + 42, near Olympia in Thurston County, Washington (the "Line").

(1) Proposed Action and Alternatives: Describe the proposed action, including commodities transported, the planned disposition (if any) of any rail line and other structures that may be involved, and any possible changes in current operations or maintenance practices. Also describe any reasonable alternatives to the proposed action. Include a readable, detailed map and drawings clearly delineating the project.

BNSF seeks to abandon the Line. The proposed abandonment may include the removal of the rails and ties, including any bridges, structures and crossings. BNSF bids its salvage packages out to independent contractors. The winning bidder will start work with the removal of the rails and metal parts of the track structure. Next, the wooden ties will be removed and separated into second hand ties, landscape quality ties and scrap ties (which are disposed of at an appropriate site). The bridges and crossings as well as any other structures will be removed last. Culverts and the rail line embankment will stay intact so as not to alter the prevailing waterflows along the line. Any bridge pilings will be pulled out, cut off at ground level or broken off at or below the mud line. Steel bridges are dismantled and removed. If there are concrete abutments or piers involved, they may be left intact. BNSF salvage contractors are required not to place fills or

other material in water bodies, including inland waterways. Contractors are also required to limit their activities to the width of the right-of-way. When the salvage process is complete, waterflows in the area should not be disrupted. In this instance, there are three (3) bridges on the Line and BNSF is not aware of any other structures. A map of the Line is attached as Exhibit A.

(2) Transportation System: Describe the effect of the proposed action on regional or local transportation systems and patterns. Estimate the amount of traffic (passenger or freight) that will be diverted to other transportation systems or modes as a result of the proposed action.

The proposed abandonment will have no effect on existing transportation systems or patterns as there has been no local traffic on the Line for over two years and there is no overhead traffic to be rerouted.

(3) Land Use:

(i) Based on consultation with local and/or regional planning agencies and/or review of the official planning documents prepared by such agencies, state whether the proposed action is consistent with existing land use plans. Describe any inconsistencies.

The proposed abandonment should not be inconsistent with local or regional land use plans. The City of Olympia ("City") indicates "a substantial portion of the rail line segment crosses the former Port of Olympia property, which the City has purchased for the West Bay Park" project. The City further indicates the Olympia Comprehensive Plan identifies this railroad segment for public acquisition as a portion of the proposed West Bay Park and as the corridor for the proposed West Bank Trail. Finally, based on the above stated information, the City states: "The City of Olympia is in active negotiations with BNSF to purchase the above-referenced corridor. Our proposed agreement includes provisions for removal of certain portions, but not all, of the existing rails, ties,

and structures.” See Exhibit B, letter dated August 15, 2006, from Todd Stamm, Senior Planner, Olympia Community Planning & Development Department and Dave Hanna, Associate Director, Olympia Parks, Arts & Recreation Department, on behalf of the City of Olympia.

Also, the Washington State Department of Transportation (“WSDOT”) was contacted regarding land use plans. WSDOT indicates it does not handle local land use and suggested that the City of Olympia and the Port of Olympia be contacted. WSDOT further states that it finds no reason why this abandonment may not take place. See Exhibit C, letter dated September 13, 2006, from Andrew Wood, Freight Rail Program and Project Manager, Washington State Department of Transportation.

As suggested by WSDOT, BNSF contacted the City of Olympia. BNSF also contacted the Port of Olympia. See Exhibit D, letter dated September 22, 2006, to the Port of Olympia. To date, no response has been received by the Port of Olympia. If a response is subsequently received, it will be forwarded to the Board.

(ii) Based on consultation with the U.S. Soil Conservation Service, state the effect of the proposed action on any prime agriculture land.

The proposed abandonment should have no effect on prime agricultural lands. The Natural Resources Conservation Service (“NRCS”) (formerly known as the U.S. Soil Conservation Service) indicates: “[T]he site is located in an area that is in urban development. The proposed abandonment will have no effect on any prime agricultural, or other important farmlands.” See Exhibit E, letter dated

December 21, 2006, from Charles Natsuhara, Area Resource Soil Scientist, Natural Resources Conservation Service.

(iii) If any action affects land or water uses within a designated coastal zone, include the coastal zone information required by § 1105.9.

The Washington State Department of Ecology was contacted regarding project consistency with the Coastal Zone Management Act. BNSF has not yet received a response. See Exhibit F, letter dated July 31, 2006, to the Washington State Department of Ecology, Shore Lands and Coastal Management Program.

(iv) If the proposed action is an abandonment, state whether or not the right-of-way is suitable for alternative public use under 49 U.S.C. § 10906 and explain why.

The proposed abandonment may be suitable for alternative public use. As noted above, the City indicates it is interested in obtaining the land proposed for abandonment for trails use. See Exhibit B, letter from Todd Stamm, Senior Planner, Olympia Community Planning & Development Department and Dave Hanna, Associate Director, Olympia Parks, Arts & Recreation Department, on behalf of the City of Olympia.

Also, as mentioned above, WSDOT indicates it does not handle local land use. WSDOT further indicates it knows of no reason why this abandonment should not take place. See Exhibit C, letter from Andrew Wood, Freight Rail Program and Project Manager.

(4) Energy:

(i) Describe the effect of the proposed action on transportation of energy resources.

There are no known recoverable energy resources along the Line. There

has been no local traffic on the Line for over two years and there is no overhead traffic to be rerouted.

(ii) Describe the effect of the proposed action on recyclable commodities.

This abandonment will not adversely affect movement or recovery of recyclable commodities as there has been no local traffic on the line for over two years and there is no overhead traffic to be rerouted.

(iii) State whether the proposed action will result in an increase or decrease in overall energy efficiency and explain why.

This abandonment will not result in an increase or decrease in overall energy efficiency as there has been no local traffic on the Line for over two years and there is no overhead traffic to be rerouted.

(iv) If the proposed action will cause diversions from rail to motor carriage of more than:

(A) 1,000 rail carloads a year, or

(B) An average of 50 rail carloads per mile per year for any part of the affected line, quantify the resulting net change in the energy consumption and show the data and methodology used to arrive at the figure given.

There will be no diversions of traffic as there has been no local traffic on the Line for over two years and there is no overhead traffic to be rerouted.

(5) Air:

(i) If the proposed action will result in either:

(A) An increase in rail traffic of at least 100% (measured in gross ton miles annually) or an increase of at least eight trains a day on any segment of the line effected by the proposed, or

(B) An increase in rail yard activity of at least 100% (measured by carload activity), or

(C) An average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles a day on any affected road segment, quantify the anticipated effect on air emissions.

The action will not result in meeting or exceeding the specified thresholds. Moreover, the action will not involve an increase in truck traffic of more than 10% or 50 vehicles a day on any affected road segment as there has been no local traffic on the Line for over two years and there is no overhead traffic to be rerouted.

(ii) If the proposed action affects a Class I or nonattainment area under the Clean Air Act, and will result in either:

(A) An increase in rail traffic of at least 50% (measured in gross ton miles annually) or an increase of at least three trains a day on any segment of rail line, or

(B) An increase in rail yard activity of at least 20% (measured by carload activity), or

(C) An average increase in truck traffic of more than 10% of the average daily traffic of 50 vehicles a day on a given road segment, then state whether any expected increased emissions are within the parameters established by State Implementation Plan. However, for a rail construction under 49 U.S.C. § 10901 (or 49 U.S.C. § 10505) or in a case involving the reinstitution of service over a previously abandoned line, only the three train a day threshold in this item shall apply.

The action will not result in meeting or exceeding the specified thresholds. Moreover, the proposed abandonment will not result in an increase of rail or truck traffic as there has been no local traffic on the Line for over two years and there is no overhead traffic to be rerouted.

(iii) If the transportation of ozone depleting materials (such as nitrogen oxide and Freon) is contemplated, identify: the materials and quantity; the frequency of service; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and spills; contingency plans to deal with accidental spills; and the likelihood of an accidental release of ozone depleting materials in the event of a collision or derailment.

The proposed abandonment will not affect the transportation of ozone

depleting materials.

(6) Noise: If any of the thresholds identified in item (5) (i) of this section are surpassed, state whether the proposed action will cause:

(i) An incremental increase in noise levels of three decibels Ldn or more,

N/A

(ii) An increase to a noise level of 65 decibels Ldn or greater. If so, identify sensitive receptors (e.g. schools, libraries, hospitals, residences, retirement communities and nursing homes) in the project area and quantify the noise increase for those receptors if the thresholds are surpassed.

N/A

(7) Safety:

(i) Describe any effects of the proposed action on public health and safety (including vehicle delay time at railroad crossings).

This abandonment should have no adverse effect on health or public safety. There are two (2) public crossings and no private crossings on the Line. During salvage operations, if any may be required, precautions will be taken to ensure public safety, and contractors will be required to satisfy all applicable health and safety laws and regulations.

(ii) If hazardous materials are expected to be transported, identify: the materials and quantity; the frequency of service; whether chemicals are being transported that, if mixed, could react to form more hazardous compounds; safety practices (including any speed restrictions); the applicant's safety record (to the extent available) on derailments, accidents and hazardous spills; the contingency plans to deal with accidental spills, and the likelihood of and accidental release of hazardous materials.

The abandonment will not result in the transportation of hazardous materials.

(iii) If there are any known hazardous waste site or sites where there have been known hazardous materials spills on the right-of-way, identify the location of those sites and the types of hazardous materials involved.

There are no known hazardous waste site or sites where there have been known hazardous materials spills on the right-of-way.

(8) Biological Resources:

(i) Based on consultation with the U.S. Fish and Wildlife Service, state whether the proposed action is likely to adversely affect endangered or threatened species or areas designated as a critical habitat, and if so, describe the effects.

The U.S. Fish and Wildlife Service ("FWS") indicates, via phone call with John Grettenburger, Supervisor, Transportation Planning Branch, that due to staffing shortages, no written comments will be provided. The FWS suggested that the Washington State Fish and Wildlife database be consulted to determine if there may be any potential effects to endangered species or critical habitats. If there are potential effects, an evaluation and consultation may be required. Mr. Grettenburger can be contacted at: U.S. Fish and Wildlife Service, 510 Desmond Drive SE, Suite 102, Lacey, Washington 98503. See Exhibit G, list of Species of Concern on the Washington State Fish and Wildlife database.

(ii) State whether wildlife sanctuaries or refuges, National or State parks or forests will be affected, and describe any effects.

The National Park Service ("Service") reviewed the project and determined that based on the map provided "showing the segment of railroad to be abandoned, there are no National Park Service Units within the proposed impact area." See Exhibit H, letter dated August 15, 2006, from Gregory F. Gress, Chief, Pacific Land Resources Program Center, Pacific West Region, National Park Service.

The Bureau of Land Management ("BLM"), via telephone call from Bill Schuger, states that the BLM does not have jurisdiction over lands in the proposed project area and has no comment at this time. Mr. Schuger can be reached at

Bureau of Land Management, Wenatchee Resource Area, 915 Walla Walla,
Wenatchee, WA 98801, (509) 665-2116.

(9) Water:

(i) Based on consultation with State water quality officials, state whether the proposed action is consistent with applicable Federal, State or local water quality standards. Describe any inconsistencies.

The proposed exemption should be consistent with applicable Federal, State and local water quality standards. The Washington State Department of Ecology provides National Pollutant Discharge Elimination System ("NPDES") permit coverage and indicates, via telephone conversation from Deborah Coronett, Washington State Water Quality Program, that if the area, including the staging area is smaller than one (1) acre, no permit is required, but water quality protection steps should be taken. Ms. Coronett can be reached at (360) 528-8000 and Washington State Department of Ecology, Water Quality Program, PO Box 47775 Olympia, WA 98504-7775.

(ii) Based on consultation with the U.S. Army Corps of Engineers, state whether permits under Section 404 of the Clean Water Act (33 U.S.C. § 1344) are required for the proposed action and whether any designated wetlands or 100-year flood plains will be affected. Describe the effects.

The proposed abandonment should not require a Section 404 permit. The U.S. Army Corps of Engineers ("CORPS") indicates: "A Department of the Army permit will not be required for the proposed work provided all materials to be removed are disposed of in an upland location and not back into the waterway." See Exhibit I, January 4, 2007 electronic correspondence from Jim Green, Regulatory Branch South Application Review Section.

Although the proposed abandonment is within a 100-year flood plain, the abandonment should not affect the flood plain. The Washington Department of Ecology indicated there are two locations where the rail line is within a 100-year flood plain, and both are small bridge crossings north of the 4th Avenue Bridge. The Department of Ecology further stated the remaining track is not subject to regulations under the National Flood Insurance Program. The Department provided two Flood Rate Insurance maps for the area of the project. See Exhibit J, September 19, 2006, electronic correspondence from Kevin Farrell, Floodplain Management Specialist, Washington Department of Ecology.

With respect to the proposed abandonment being within a 100-year flood plain, the City of Olympia Department of Community Planning and Development comments: “[A]bandonment of this line and the removal of bridges, structures, or the rails and ties is not likely to cause or increase any hazards within the 100-year flood plain.” See Exhibit K, electronic correspondence from Tom Hill, Permitting and Inspection Services Manager, City of Olympia Department of Community Planning and Development.

(iii) State whether permits under Section 402 of the Clean Water Act (33 U.S.C. § 1342) are required for the proposed action. (Applicants should contact the U.S. Environmental Protection Agency or the state environmental protection or equivalent agency if they are unsure whether such permits are required).

A permit under Section 402 of the Clean Water Act may not be required for the proposed action. The U.S. Environmental Protection Agency (“EPA”) indicates: “From the information provided, including the map, it is evident that the rail line proposed for abandonment runs directly adjacent to Capitol Lake, a navigable water. Beyond the railbed itself, the railroad right-of-way well

extended into Capitol Lake and almost certainly includes jurisdictional wetlands along the lake. Notwithstanding the presence of jurisdictional wetlands, if the proposed action merely entails the abandonment and railbanking and transfer of the right-of-way, and no discharge of pollutants will occur, the EPA agrees that no permits under the Clean Water Act should be required. If, however, the proposed action also entails railroad salvage activities, such as the removal of ties and tracks for any purpose, then Clean Water Act requirements may be implicated. In particular, if the salvage activities involve clearing, grading or excavating that will disturb more than one acre, such activities must comply with requirements for obtaining a permit under the Clean Water Act National Pollutant Discharge Elimination System (NPDES).” See Exhibit L, letter dated September 12, 2006, from Clifford J. Villa, Assistant Regional Counsel, Region 10, U.S. Environmental Protection Agency.

As noted above, the Washington State Department of Ecology provides NPDES permit coverage and indicates, via telephone call from Deborah Coronett, Washington State Water Quality Program, that if the area, including the staging area is smaller than one (1) acre, no permit is required, but water quality protection steps should be taken. She can be reached at (360) 528-8000 and Washington State Department of Ecology, Water Quality Program, PO Box 47775, Olympia, WA 98504-7775.

(10) Proposed Mitigation: Describe any actions that are proposed to mitigate adverse environmental impacts, indicating why the proposed mitigation is appropriate.

The project itself should mitigate the environmental effects of reinstating active rail operations.

II

HISTORIC REPORT (49 C.F.R. 1105.8)

Applicants hereby submit the following information required by 49 C.F.R. § 1105.8(d):

- (1) *A U.S.G.S. topographic map (or an alternate map drawn to scale and sufficiently detailed to show buildings and other structures in the vicinity of the proposed action) showing the location of the proposed action, and the locations and approximate dimensions of railroad structures that are 50 years old or older and are part of the proposed action;*

The required topographic map is attached to this Report as Exhibit A.

- (2) *A written description of the right-of-way (including approximate widths, to the extent known), and the topography and urban and/or rural characteristics of the surrounding area;*

The right-of-way for the Olympia, WA Trackage varies from 40 to 60 feet in width except for road easements which are 15 feet wide. The right-of-way is located within the Olympia Metropolitan Statistical Area which includes the cities of Olympia and Lacey. In 2000, Olympia had a population of 42,514 and is the state Capitol. The line is located primarily in a north-south direction and runs along the west side of Budd Inlet on the west side of Olympia. The line is essentially flat along the waterfront and a hill is located west of the line.

There are no federally granted rights-of-way involved.

- (3) *Good quality photographs (actual photographic prints, not photocopies) of railroad structures on the property that are 50 years old or older and of the immediately surrounding area;*

There are three (3) railroad structures on the property that are 50 years old or older.

Bridge 9.0. Bridge 9.0 is a railroad bridge in Olympia. This bridge is wood pile trestle, 177 feet long and 15 feet high. See Exhibits M-1 through M-3.

Bridge 9.1. Bridge 9.1 is a railroad bridge in Olympia. This bridge is wood pile trestle, 2,236 feet long and 15 feet high. There are no photographs of this bridge.

Bridge 9.2. Bridge 9.2 is a railroad bridge in Olympia. This bridge is wood pile trestle, 366 feet long and 16 feet high. See Exhibits M-4 and M-5.

No bridges will be removed. The above structures will remain intact and will be conveyed to the City of Olympia along with the rail line.

(4) The date(s) of construction of the structure(s), and the date(s) and extent of any major alterations, to the extent such information is known;

Bridge 9.0. It was built in 1952. It is unknown whether or not there has been significant alteration to the bridge structure since that time.

Bridge 9.1. It was built in 1956. It is unknown whether or not there has been significant alteration to the bridge structure since that time.

Bridge 9.2. It was built in 1952. It is unknown whether or not there has been significant alteration to the bridge structure since that time.

(5) A brief narrative history of carrier operations in the area, and an explanation of what, if any, changes are contemplated as a result of the proposed action;

The right-of-way was acquired by the Olympia and Chehalis Valley Railroad Company (O & CVR) and the Port Townsend Southern Railroad Company (PTSRR) in 1890 and 1898. The O & CVR was conveyed to the

PTSRR on June 2, 1891. The PTSRR conveyed the subject line to the Northern Pacific Railway Company (NP) on June 25, 1914. The NP merged with other railroads to become part of Burlington Northern Railroad (BN) in 1970. BN and the The Atchison Topeka & Santa Fe Railway merged in 1995 to become The Burlington Northern & Santa Fe Railway Company. In 2005, the Burlington Northern & Santa Fe Railway Company changed its name to BNSF Railway Company.

There are no federally granted rights-of-way involved.

(6) A brief summary of documents in the carrier's possession, such as engineering drawings, that might be useful in documenting a structure that is found to be historic;

Documents in BNSF's possession concerning this abandonment may include alignment maps showing the right-of-way and/or station maps. Such documents are too large for practical reproduction in this report, but can be furnished upon request, if they are available.

(7) An opinion (based on readily available information in the railroad's possession) as to whether the site and/or structures meet the criteria for listing on the National Register of Historic Places (36 CFR 60.4), and whether there is a likelihood of archeological resources or any other previously unknown historic properties in the project area, and the basis for these opinions (including any consultations with the State Historic Preservation Office, local historical societies or universities);

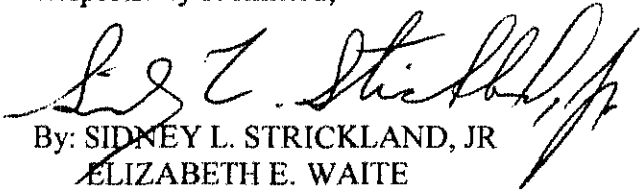
The State of Washington Department of Archaeology and Historic Preservation ("DAHP") offered the following comments on the proposed abandonment: "The area has the potential for archaeological and historical resources. Therefore, we recommended a professional archaeological survey be

conducted prior to the proposed undertaking being granted. This survey should include an inventory survey of historic structures along the line and an electronic copy of the Historic Property Inventory forms be submitted to DAHP for our database." Further, the DAHP also recommended "consultation with the concerned tribes cultural committees and staff regarding cultural resources issues. This is a separate process from SEPA and requires formal government-to-government consultation with the affected tribes and this agency." Additionally, DAHP requested it receive copies of any correspondence or comments received from concerned tribes or other parties concerning cultural resource issues. Finally, DAHP requested that it be provided with an Area of Potential Effect ("APE") for the project. See Exhibit M, letter dated December 4, 2006, from Russell Holter, Project Compliance Reviewer, Department of Archaeology and Historic Preservation.

(8) A description (based on readily available information in the railroad's possession) of any known prior subsurface ground disturbance or fill, environmental conditions (naturally occurring or manmade) that might affect the archeological recovery of resources (such as swampy conditions or the presence of toxic wastes), and the surrounding terrain.

There are no known prior subsurface ground disturbance or fill, or environmental conditions that might affect the archeological recovery of resources and the surrounding terrain.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. L. Strickland, Jr.", is written over the typed name.

By: SIDNEY L. STRICKLAND, JR

ELIZABETH E. WAITE

SIDNEY STRICKLAND AND ASSOCIATES

3050 K Street, N.W., Suite 101

Washington, DC 20007

(202) 338-1325

Attorneys for BNSF Railway Company

DATED: February 2, 2007

Light



HARDEL PLYWOOD LEAD OFF LINE SEGMENT 402



City of
OLYMPIA

EXHIBIT B

P.O. Box 1967, Olympia, WA 98507-1967

August 15, 2006

Sidney L. Strickland, Jr.
Sidney Strickland & Associates, PLLC
3050 K St. NW, Suite 101
Washington, DC 20007-5108

COUNCIL

Mark Foutch
Mayor

Laura Ware
Mayor Pro Tem

TJ Johnson

Karen Messmer

Jeff Kingsbury

Doug Mah

Joe Hyer

CITY MANAGER

Steven R. Hall

Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company-
Abandonment Exemption - in Thurston County, WA

Dear Mr. Strickland:

The abandonment of 0.86 miles of BNSF railroad line between Engineering Station 476 + 09 to Engineering Station 521 + 42 in Olympia, in Thurston County Washington, is consistent with local land use plans.

Specifically, the *Olympia Comprehensive Plan (Chapter Seven, Parks, Arts and Recreation)-Table 7.11 Prioritized Project List 2003-2025* identifies this railroad segment for public acquisition as a portion of the proposed West Bay Park (SU-23) and as the corridor for the proposed West Bay (bicycle-pedestrian) Trail (OS-9).

A substantial portion of this rail line segment crosses the former Port of Olympia property, which the City has purchased for the West Bay Park proposed in this plan.

The City of Olympia is in active negotiations with BNSF to purchase the above-referenced corridor. Our proposed agreement includes provisions for removal of certain portions, but not all, of the existing rails, ties and structures.

Please feel free to call us if you have any further questions.

Sincerely,

Todd Stamm, Senior Planner

Olympia Community Planning & Development Dept.

(360) 753-8597

David Hanna, Associate Director

Olympia Parks, Arts & Recreation Dept.

(360) 753-8020

cc: Tom Morrill, Assistant City Attorney
Andre Wood, WSDOT

\\Calvin\parks\Planning and Design\Land Acquisition\West Bay\West Bay- BNSF\08XX06
Letter to Strickland & Associates.doc

City Council
City Manager
City Attorney
Administrative Services

(360) 753-8447
(360) 753-8447
(360) 753-8449
(360) 753-8325

Community Planning & Development
Fire
Human Resources
Parks, Arts & Recreation

(360) 753-8314
(360) 753-8348
(360) 753-8442
(360) 753-8380

Police
Public Works

(360) 753-8300
(360) 753-8362



**Washington State
Department of Transportation**
Douglas B. MacDonald
Secretary of Transportation

Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300

360-705-7000
TTY: 1-800-833-6388
www.wsdot.wa.gov

September 13, 2006

Sidney Strickland and Associates, PLLC
3050 K St. N.W. Suite 101
Washington D.C.
20007-5108

*Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company –
Abandonment Exemption – in Thurston County, WA*

Dear Sir or Madam:

I refer to your letter dated July 31, 2006 concerning the above.

This agency is not the one that handles local land use as set out in your letter and I suggest that you contact the City of Olympia and the Port of Olympia in whose area it is situated.

On behalf of WSDOT I am able to say that we know of no reason why this abandonment may not take place.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Wood', with a long horizontal line extending to the right.

Andrew Wood
Freight Rail Program and Project Manager

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

EXHIBIT D

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

September 22, 2006

Jim Amador
Marine Terminal Director
Port of Olympia
915 Washington Street NE
Olympia, WA 98501

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—
Abandonment Exemption—in Thurston County, WA***

Dear Mr. Amador:

On July 31, 2006, BNSF Railway Company ("BNSF") sent letters to the Washington State Department of Transportation and the City of Olympia, inquiring whether the proposed abandonment of rail line is consistent with local land use plans and if there are any alternate public uses for the line.

By letter dated September 13, 2006, the Washington State Department of Transportation responded to our July 31st letter, and suggested that BNSF contact the City of Olympia and the Port of Olympia with respect to local land use.

The City Olympia previously responded in support of the rail line abandonment, indicating: "A substantial portion of this rail line segment crosses the former Port of Olympia property, which the City has purchased for the West Bay Park proposed in this plan."

Enclosed, please find copies of the original letters sent to both the City of Olympia and the Washington State Department of Transportation, responses from both entities, and a map of the area.

If you have additional comments regarding the proposed abandonment, please respond as soon as possible.

Sincerely,


Sidney L. Strickland, Jr.

SLS/cac
(enclosures)



Natural Resources Conservation Service
1011 East Main, Suite 106
Puyallup, WA 98372
(253) 845-9272, Fax (253) 445-9934

December 21, 2006

Carlton Curry
Sidney Strickland and Associates, PLLC
3050 K. St. N.W., Suite 101
Washington, DC 20007-5108

Re: The Burlington Northern and Santa Fe Railway Company Abandonment
in Olympia, Washington, Station 476+09 to Station 521+42

Dear Mr. Carlton:

As per today's phone conversation and fax, I have reviewed the area of the proposed railroad line abandonment. The site is located in an area that is in urban development. The proposed abandonment will have no effect on any prime agricultural, or other important farmlands.

Please contact me if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Charles Natsuhara", with a long horizontal flourish extending to the right.

Charles Natsuhara
Area Resource Soil Scientist

SIDNEY STRICKLAND AND ASSOCIATES, PLLC

3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-672-5399

EXHIBIT F

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

July 31, 2006

Brian Lynn
Shore Lands and Coastal Zone Management Program
Department of Ecology P.O. Box 47600
Olympia, WA 98504-7600

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—
Abandonment Exemption – in Thurston County, WA***

Dear Mr. Lynn:

BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority in the above docket to abandon 0.86 miles of railroad line between Engineering Station 476 + 09 – Engineering Station 521 + 42 in Olympia in Thurston County, WA.

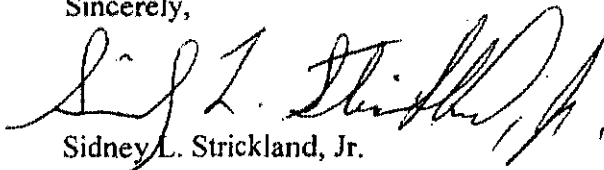
The proposed abandonment may require removal of bridges and structures and the removal of track materials such as rails and ties but the roadbed will be left intact.

As part of the environmental report, BNSF needs to know whether or not the proposed abandonment will have any effect on land or water uses within a state coastal zone pursuant to the Coastal Zone Management Act (16 U.S.C. 1451 *et seq.*), and, if so, whether the proposed action is consistent with the coastal zone management plan.

For your reference, I have enclosed a map of the above referenced railroad line. Please provide this information to me by August 31, 2006. If you have any questions, do not hesitate to contact me at (202) 338-1325.

Thank you in advance for your cooperation.

Sincerely,



Sidney L. Strickland, Jr.

Enclosure
SLS/eww



WASHINGTON DEPARTMENT OF FISH AND WILDLIFE

Species of Concern

State Species
of Concern

Include those species listed as State Endangered, State Threatened, State Sensitive, or State Candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.

Search Species Lists

SORT RESULTS BY:

Common Name

Scientific Name

Animal Type

Search Listings

[Advanced Search](#)

Species of Concern Lists

- [Endangered Species](#)
- [Threatened Species](#)
- [Sensitive Species](#)
- [State Candidate Species](#)

- [Complete SOC List](#)
- [Main SOC Page](#)

Status Codes:

FE: Federal Endangered
FT: Federal Threatened
FC: Federal Candidate
FCo: Federal Species of Concern
SE: State Endangered
ST: State Threatened
SC: State Candidate
SS: State Sensitive

Mapping Criteria Codes:

(listed in order of decreasing specificity)
B: Breeding Location (Nest or Den)
CR: Communal Roost
RC, RLC, RSC: Regular (Large or Small) Concentration
RI: Regular Individual
IO: Individual Occurrence
(If a less specific criterion is listed,

Species of Concern in Washington State

Current through August 24, 2006

COMMON NAME	SCIENTIFIC NAME	ANIMAL TYPE	FEDERAL STATUS	S
PINTO ABALONE	HALIOTIS KAMTSCHATKANA		FC	
OLYMPIA OYSTER	OSTREA LURIDA	Mollusk	none	
PACIFIC HERRING (CHERRY POINT)	CLUPEA PALLASI	Fish	FC	
PACIFIC HERRING (DISCOVERY BAY)	CLUPEA PALLASI	Fish	FC	
PACIFIC COD (S&C PUGET SOUND)	GADUS MACROCEPHALUS	Fish	FCo	
PACIFIC HAKE (C. PUGET SOUND)	MERLUCCIIUS PRODUCTUS	Fish	FCo	
WALLEYE POLLOCK (SO. PUGET SOUND)	THERAGRA CHALCOGRAMMA	Fish	FCo	
BROWN ROCKFISH	SEBASTES AURICULATUS	Fish	FCo	
COPPER ROCKFISH	SEBASTES CAURINUS	Fish	FCo	
GREENSTRIPED ROCKFISH	SEBASTES ELONGATUS	Fish	none	
WIDOW ROCKFISH	SEBASTES ENTOMELAS	Fish	none	
YELLOWTAIL ROCKFISH	SEBASTES FLAVIDUS	Fish	none	
QUILLBACK ROCKFISH	SEBASTES MALIGER	Fish	FCo	
BLACK ROCKFISH	SEBASTES MELANOPS	Fish	none	
CHINA ROCKFISH	SEBASTES NEBULOSUS	Fish	none	
TIGER ROCKFISH	SEBASTES NIGROCINCTUS	Fish	none	
BOCACCIO ROCKFISH	SEBASTES PAUCISPINIS	Fish	none	
CANARY ROCKFISH	SEBASTES PINNIGER	Fish	none	
REDSTRIPE ROCKFISH	SEBASTES PRORIGER	Fish	none	
YELLOW EYE ROCKFISH	SEBASTES RUBERRIMUS	Fish	none	
PACIFIC LAMPREY	LAMPETRA TRIDENTATA	Fish	FCo	
RIVER LAMPREY	LAMPETRA AYRESI	Fish	FCo	
CHUM SALMON (HOOD CANAL SU)	ONCORHYNCHUS KETA	Fish	FT	
CHUM SALMON (LOWER COLUMBIA)	ONCORHYNCHUS KETA	Fish	FT	
COHO SALMON (PUGET SOUND)	ONCORHYNCHUS KISUTCH	Fish	FCo	
COHO SALMON (LOWER COLUMBIA/SW WA)	ONCORHYNCHUS KISUTCH	Fish	FC	
SOCKEYE SALMON (SNAKE R.)	ONCORHYNCHUS NERKA	Fish	FE	
SOCKEYE SALMON (OZETTE LAKE)	ONCORHYNCHUS NERKA	Fish	FT	
CHINOOK SALMON (PUGET SOUND)	ONCORHYNCHUS TSHAWYTSCHA	Fish	FT	
CHINOOK SALMON (UPPER COLUMBIA SP)	ONCORHYNCHUS TSHAWYTSCHA	Fish	FE	
CHINOOK SALMON (LOWER COLUMBIA)	ONCORHYNCHUS TSHAWYTSCHA	Fish	FT	
CHINOOK SALMON (SNAKE R. SP/SU)	ONCORHYNCHUS TSHAWYTSCHA	Fish	FT	
CHINOOK SALMON (SNAKE R. FALL)	ONCORHYNCHUS TSHAWYTSCHA	Fish	FT	
COASTAL CUTTHROAT	ONCORHYNCHUS CLARKI CLARKI	Fish	FCo	
WESTSLOPE CUTTHROAT	ONCORHYNCHUS CLARKI LEWISI	Fish	FCo	

then the more specific criteria are implied as well)

Related Links

- State Monitor Species

STEELHEAD (SNAKE RIVER)	ONCORHYNCHUS MYKISS	Fish	FT
STEELHEAD (MIDDLE COLUMBIA)	ONCORHYNCHUS MYKISS	Fish	FT
STEELHEAD (UPPER COLUMBIA)	ONCORHYNCHUS MYKISS	Fish	FT
STEELHEAD (LOWER COLUMBIA)	ONCORHYNCHUS MYKISS	Fish	FT
BULL TROUT	SALVELINUS CONFLUENTUS	Fish	FT
BULL TROUT (COLUMBIA BASIN)	SALVELINUS CONFLUENTUS	Fish	FT
BULL TROUT (COASTAL/PUGET SOUND)	SALVELINUS CONFLUENTUS	Fish	FT
EULACHON	THALEICHTHYS PACIFICUS	Fish	FC
OLYMPIC MUDMINNOW	NOVUMBRA HUBBSI	Fish	none
PYGMY WHITEFISH	PROSOPIMUM COULTERI	Fish	none
LAKE CHUB	COUESIUS PLUMBEUS	Fish	none
LEOPARD DACE	RHINICHTHYS FALCATUS	Fish	none
UMATILLA DACE	RHINICHTHYS UMATILLA	Fish	none
MOUNTAIN SUCKER	CATOSTOMUS PLATYRHYNCHUS	Fish	none
MARGINED SCULPIN	COTTUS MARGINATUS	Fish	FCo
WESTERN TOAD	BUFO BOREAS	Amphibian	FCo
RED-LEGGED FROG	RANA AURORA	Amphibian	FCo
CASCADES FROG	RANA CASCADEAE	Amphibian	FCo
NORTHERN LEOPARD FROG	RANA PIPIENS	Amphibian	FCo
OREGON SPOTTED FROG	RANA PRETIOSA	Amphibian	FC
COLUMBIA SPOTTED FROG	RANA LUTEIVENTRIS	Amphibian	FCo
CASCADE TORRENT SALAMANDER	RHYACOTRITON CASCADEAE	Amphibian	none
COLUMBIA TORRENT SALAMANDER	RHYACOTRITON KEZERI	Amphibian	FCo
OLYMPIC TORRENT SALAMANDER	RHYACOTRITON OLYMPICUS	Amphibian	FCo
DUNN'S SALAMANDER	PLETHODON DUNNI	Amphibian	none
LARCH MOUNTAIN SALAMANDER	PLETHODON LARSELLI	Amphibian	FCo
VAN DYKE'S SALAMANDER	PLETHODON VANDYKEI	Amphibian	FCo
TAILED FROG	ASCAPHUS TRUEI	Amphibian	FCo
ROCKY MOUNTAIN TAILED FROG	ASCAPHUS MONTANUS	Amphibian	none
WESTERN POND TURTLE	CLEMMYS MARMORATA	Reptile	FCo
LEATHERBACK SEA TURTLE	DERMOCHELYS CORIACEA	Reptile	FE
GREEN SEA TURTLE	CHELONIA MYDAS	Reptile	FT
SAGEBRUSH LIZARD	SCELOPORUS GRACIOSUS	Reptile	FCo
LOGGERHEAD SEA TURTLE	CARETTA CARETTA	Reptile	FT
SHARPTAIL SNAKE	CONTIA TENUIS	Reptile	none
STRIPED WHIPSNAKE	MASTICOPHIS TAENIATUS	Reptile	none
CALIFORNIA MOUNTAIN KINGSNAKE	LAMPROPELTIS ZONATA	Reptile	none
COMMON LOON	GAVIA IMMER	Bird	none
WESTERN GREBE	AECHMOPHORUS OCCIDENTALIS	Bird	none
SHORT-TAILED ALBATROSS	PHOEBASTRIA ALBATRUS	Bird	FE
AMERICAN WHITE PELICAN	PELECANUS ERYTHORHYNCHOS	Bird	none
BROWN PELICAN	PELECANUS OCCIDENTALIS	Bird	FE
BRANDT'S CORMORANT	PHALACROCORAX PENICILLATUS	Bird	none
ALEUTIAN CANADA GOOSE	BRANTA CANADENSIS LEUCOPAREIA	Bird	FCo
GOLDEN EAGLE	AQUILA CHRYSAETOS	Bird	none
BALD EAGLE	HALIAEETUS LEUCOCEPHALUS	Bird	FT
NORTHERN GOSHAWK	ACCIPITER GENTILIS	Bird	FCo
FERRUGINOUS HAWK	BUTEO REGALIS	Bird	FCo
MERLIN	FALCO COLUMBARIUS	Bird	none
PEREGRINE FALCON	FALCO PEREGRINUS	Bird	FCo

AMERICAN PEREGRINE FALCON	<i>FALCO PEREGRINUS ANATUM</i>	Bird	FCo
ARCTIC PEREGRINE FALCON	<i>FALCO PEREGRINUS TUNDRIUS</i>	Bird	FCo
PEALE'S PEREGRINE FALCON	<i>FALCO PEREGRINUS PEALEI</i>	Bird	FCo
SHARP-TAILED GROUSE	<i>TYMPANUCHUS PHASIANELLUS</i>	Bird	FCo
SAGE-GROUSE	<i>CENTROCERCUS UROPHASIANUS</i>	Bird	FC
SANDHILL CRANE	<i>GRUS CANADENSIS</i>	Bird	none
SNOWY PLOVER	<i>CHARADRIUS ALEXANDRINUS</i>	Bird	FT
UPLAND SANDPIPER	<i>BARTRAMIA LONGICAUDA</i>	Bird	none
BLACK TERN	<i>CHLIDONIAS NIGER</i>	Bird	FCo
COMMON MURRE	<i>URIA AALGE</i>	Bird	none
MARbled MURRELET	<i>BRACHYRAMPHUS MARMORATUS</i>	Bird	FT
CASSIN'S AUKLET	<i>PTYCHORAMPHUS ALEUTICUS</i>	Bird	FCo
TUFTED PUFFIN	<i>FRATERCULA CIRRHATA</i>	Bird	FCo
YELLOW-BILLED CUCKOO	<i>COCCYZUS AMERICANUS</i>	Bird	FC
BURROWING OWL	<i>ATHENE CUNICULARIA</i>	Bird	FCo
FLAMMULATED OWL	<i>OTUS FLAMMEOLUS</i>	Bird	none
SPOTTED OWL	<i>STRIX OCCIDENTALIS</i>	Bird	FT
VAUX'S SWIFT	<i>CHAETURA VAUXI</i>	Bird	none
LEWIS' WOODPECKER	<i>MELANERPES LEWIS</i>	Bird	none
PILEATED WOODPECKER	<i>DRYOCOPUS PILEATUS</i>	Bird	none
WHITE-HEADED WOODPECKER	<i>PICOIDES ALBOLARVATUS</i>	Bird	none
BLACK-BACKED WOODPECKER	<i>PICOIDES ARCTICUS</i>	Bird	none
OLIVE-SIDED FLYCATCHER	<i>CONTOPUS BOREALIS</i>	Bird	FCo
WILLOW FLYCATCHER	<i>EMPIDONAX TRAILLII</i>	Bird	FCo
PURPLE MARTIN	<i>PROGNE SUBIS</i>	Bird	none
SLENDER-BILLED WHITE-BREADED NUTHATCH	<i>SITTA CAROLINENSIS ACULEATA</i>	Bird	FCo
LOGGERHEAD SHRIKE	<i>LANIUS LUDOVICIANUS</i>	Bird	FCo
OREGON VESPER SPARROW	<i>POECCETES GRAMINEUS AFFINIS</i>	Bird	FCo
SAGE SPARROW	<i>AMPHISPIZA BELLI</i>	Bird	none
SAGE THRASHER	<i>OREOSCOPTES MONTANUS</i>	Bird	none
STREAKED HORNED LARK	<i>EREMOPHILA ALPESTRIS STRIGATA</i>	Bird	FC
PREBLE'S SHREW	<i>SOREX PREBLEI</i>	Mammal	FCo
MERRIAM'S SHREW	<i>SOREX MERRIAMI</i>	Mammal	none
DESTRUCTION ISLAND SHREW	<i>SOREX TROWBRIDGII DESTRUCTIONI</i>	Mammal	FCo
KEEN'S MYOTIS	<i>MYOTIS KEENII</i>	Mammal	none
SMALL-FOOTED MYOTIS	<i>MYOTIS CILIOLABRUM</i>	Mammal	FCo
TOWNSEND'S BIG-EARED BAT	<i>CORYHORHINUS TOWNSENDII</i>	Mammal	FCo
PACIFIC TOWNSEND'S BIG-EARED BAT	<i>CORYHORHINUS TOWNSENDII TOWNSENDII</i>	Mammal	FCo
PALLID TOWNSEND'S BIG-EARED BAT	<i>CORYHORHINUS TOWNSENDII PALLESCENS</i>	Mammal	FCo
LONG-EARED MYOTIS	<i>MYOTIS EVOTIS</i>	Mammal	FCo
FRINGED MYOTIS	<i>MYOTIS THYSANODES</i>	Mammal	FCo
LONG-LEGGED MYOTIS	<i>MYOTIS VOLANS</i>	Mammal	FCo
YUMA MYOTIS	<i>MYOTIS YUMANENSIS</i>	Mammal	FCo
PYGMY RABBIT	<i>BRACHYLAGUS IDAHOENSIS</i>	Mammal	FE
WHITE-TAILED JACK RABBIT	<i>LEPUS TOWNSENDII</i>	Mammal	none
BLACK-TAILED JACK RABBIT	<i>LEPUS CALIFORNICUS</i>	Mammal	none
WESTERN GRAY SQUIRREL	<i>SCIURUS GRISEUS</i>	Mammal	FCo
WASHINGTON GROUND SQUIRREL	<i>SPERMOPHILUS WASHINGTONI</i>	Mammal	FC

TOWNSEND'S GROUND SQUIRREL	<i>SPERMOPHILUS TOWNSENDII</i>	Mammal	none
BRUSH PRAIRIE POCKET GOPHER	<i>THOMOMYS TALPOIDES DOUGLASI</i>	Mammal	none
MAZAMA (WESTERN) POCKET GOPHER	<i>THOMOMYS MAZAMA</i>	Mammal	FC
SHELTON POCKET GOPHER	<i>THOMOMYS MAZAMA COUCHI</i>	Mammal	FC
CATHLAMET POCKET GOPHER	<i>THOMOMYS MAZAMA LOUIEI</i>	Mammal	FC
OLYMPIC POCKET GOPHER	<i>THOMOMYS MAZAMA MELANOPS</i>	Mammal	FC
YELM POCKET GOPHER	<i>THOMOMYS MAZAMA YELMENSIS</i>	Mammal	FC
KINCAID'S MEADOW VOLE	<i>MICROTUS PENNSYLVANICUS KINCAIDI</i>	Mammal	FCo
GRAY-TAILED VOLE	<i>MICROTUS CANICAUDUS</i>	Mammal	none
GRAY WOLF	<i>CANIS LUPUS</i>	Mammal	FE
GRIZZLY BEAR	<i>URSUS ARCTOS</i>	Mammal	FT
FISHER	<i>MARTES PENNANTI</i>	Mammal	FCo
WOLVERINE	<i>GULO GULO</i>	Mammal	FCo
SEA OTTER	<i>ENHYDRA LUTRIS</i>	Mammal	FCo
SEA OTTER	<i>ENHYDRA LUTRIS LUTRIS</i>	Mammal	none
LYNX	<i>LYNX CANADENSIS</i>	Mammal	FT
GRAY WHALE	<i>ESCHRICHTIUS ROBUSTUS</i>	Mammal	none
SEI WHALE	<i>BALAENOPTERA BOREALIS</i>	Mammal	FE
FIN WHALE	<i>BALAENOPTERA PHYSALUS</i>	Mammal	FE
BLUE WHALE	<i>BALAENOPTERA MUSCULUS</i>	Mammal	FE
HUMPBACK WHALE	<i>MEGAPTERA NOVAEANGLIAE</i>	Mammal	FE
BLACK RIGHT WHALE	<i>BALAENA GLACIALIS</i>	Mammal	FE
KILLER WHALE	<i>ORCINUS ORCA</i>	Mammal	none
PACIFIC HARBOR PORPOISE	<i>PHOCOENA PHOCOENA</i>	Mammal	none
SPERM WHALE	<i>PHYSETER MACROCEPHALUS</i>	Mammal	FE
COLUMBIAN WHITE-TAILED DEER	<i>ODOCOILEUS VIRGINIANUS LEUCURUS</i>	Mammal	FE
WOODLAND CARIBOU	<i>RANGIFER TARANDUS</i>	Mammal	FE
CALIFORNIA BIGHORN SHEEP	<i>OVIS CANADENSIS CALIFORNIANA</i>	Mammal	FCo
STELLER SEA LION	<i>EUMETOPIAS JUBATUS</i>	Mammal	FT
GIANT COLUMBIA RIVER LIMPET	<i>FISHEROLA NUTTALLI</i>	Mollusk	none
GIANT COLUMBIA SPIRE SNAIL	<i>FLUMINICOLA COLUMBIANA</i>	Mollusk	FCo
BLUE-GRAY TAILDROPPER	<i>PROPHYSAON COERULEUM</i>	Mollusk	none
COLUMBIAN OREGONIAN	<i>CRYPTOMASTIX HENDERSONI</i>	Mollusk	none
POPULAR OREGONIAN	<i>CRYPTOMASTIX POPULI</i>	Mollusk	none
DALLES SIDEBAND	<i>MONADENIA FIDELIS MINOR</i>	Mollusk	none
NEWCOMB'S LITTORINE SNAIL	<i>ALGAMORDA SUBROTUNDATA</i>	Mollusk	FCo
CALIFORNIA FLOATER	<i>ANODONTA CALIFORNIENSIS</i>	Mollusk	FCo
FENDER'S SOLIPERLAN STONEFLY	<i>SOLIPERLA FENDERI</i>	Other insect	FCo
COLUMBIA CLUBTAIL	<i>GOMPHUS LYNNAE</i>	Other insect	none
ISLAND MARBLE	<i>EUCHLOE AUSONIDES INSULANUS</i>	Butterfly	FCo
MAKAH (QUEEN CHARLOTTE) COPPER	<i>LYCAENA MARIPOSA CHARLOTTENSIS</i>	Butterfly	FCo
PUGET BLUE	<i>PLEBEJUS ICARIOIDES BLACKMOREI</i>	Butterfly	none
VALLEY SILVERSPOT	<i>SPEYERIA ZERENE BRENNERII</i>	Butterfly	FCo
GREAT ARCTIC	<i>OENEIS NEVADENSIS GIGAS</i>	Butterfly	none
OREGON SILVERSPOT BUTTERFLY	<i>SPEYERIA ZERENE HIPPOLYTA</i>	Butterfly	FT
MARDON SKIPPER	<i>POLITES MARDON</i>	Butterfly	FC
SHEPARD'S PARNASSIAN	<i>PARNASSIUS CLODIUS SHEPARDI</i>	Butterfly	none
SILVER-BORDERED FRITILLARY	<i>BOLORIA SELENE ATROCOSTALIS</i>	Butterfly	none

JOHNSON'S HAIRSTREAK	<i>MITOURA JOHNSONI</i>	Butterfly	none
JUNIPER HAIRSTREAK	<i>MITOURA GRYNEA BARRYI</i>	Butterfly	none
CHINQUAPIN HAIRSTREAK	<i>HABRODAIS GRUNUS HERRI</i>	Butterfly	none
YUMA SKIPPER	<i>OCHLODES YUMA</i>	Butterfly	none
TAYLOR'S (WHULGE) CHECKERSPOT	<i>EUPHYDRYAS EDITHA TAYLORI</i>	Butterfly	FC
SAND-VERBENA MOTH	<i>COPABLEPHARON FUSCUM</i>	Beetle	none
COLUMBIA RIVER TIGER BEETLE	<i>CICINDELA COLUMBICA</i>	Beetle	none
LONG-HORNED LEAF BEETLE	<i>DONACIA IDOLA</i>	Beetle	none
HATCH'S CLICK BEETLE	<i>EANUS HATCHII</i>	Beetle	FCo
BELLER'S GROUND BEETLE	<i>AGONUM BELLERI</i>	Beetle	FCo
MANN'S MOLLUSK-EATING GROUND BEETLE	<i>SCAPHINOTUS MANNII</i>	Beetle	none

Find a bug or error in the system? [Let us know about it!](#)
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 E-mail <webmaster@dfw.wa.gov>



United States Department of the Interior

NATIONAL PARK SERVICE

Pacific West Region
1111 Jackson Street, Suite 700
Oakland, California 94607-4807



IN REPLY REFER TO
L1425(PWR-LP)
General

EXHIBIT H

August 15, 2006

Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K Street N.W., Suite 101
Washington, DC 20007-5108

Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Company Abandonment
Exemption – in Thurston County, WA

Dear Mr. Strickland:

Based on the map that your office sent to us on July 31, showing the segment of railroad line to be abandoned, there are no National Park Service Units within the proposed project impact area. If you have any further questions regarding this matter, please contact me at (510) 817-1414. Thank you.

Gregory F. Gress
Chief, Pacific Land Resources Program Center
Pacific West Region
National Park Service

C. A. Curry

From: Green, James D NWS [James.D.Green@nws02.usace.army.mil]
Sent: Thursday, January 04, 2007 2:02 PM
To: Carlton Curry
Subject: RE: BNSF Railway Abandonment AB-6 Sub 448X Thurston County Washington (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Mr. Curry: A Department of the Army permit will not be required for the proposed work provided all materials to be removed are disposed of in an upland location and not back into the waterway.

Jim Green, Regulatory Branch
South Application Review Section

-----Original Message-----

From: Carlton Curry [mailto:carlton.curry@stricklandpllc.com]
Sent: Thursday, January 04, 2007 10:21 AM
To: Green, James D NWS
Cc: Liz WAITE
Subject: BNSF Railway Abandonment AB-6 Sub 448X Thurston County Washington

Mr. Green:

Pursuant to our telephone conversation, attached is a copy of a letter sent your office and a map for your reference. Any response you could provide on behalf of your agency would be appreciated.

Carlton Antoine Curry
Sidney Strickland and Associates, PLLC
3050 K Street, NW
Suite 101
Washington, DC 20007

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This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this message in error, please delete this message from all computers and notify us immediately by return e-mail and/or telephone at (202) 338-1325. Thank you.

Classification: UNCLASSIFIED
Caveats: NONE

C. A. Curry

From: Farrell, Kevin [KFAR461@ecy.wa.gov]
Sent: Tuesday, September 19, 2006 2:06 PM
To: carlton.curry@stricklandpllc.com
Subject: FW: BNSF Track Abandonment - Olympia, Washington Floodplain Information

Per your request. Please let me know if you have any further questions or concerns. Thanks,

Kevin Farrell
Floodplain Management Specialist
Washington Department of Ecology - SWRO
(360) 407-7253
kfar461@ecy.wa.gov

From: Farrell, Kevin
Sent: Wednesday, September 13, 2006 9:36 AM
To: 'Sidney.Strickland@stricklandpllc.com'
Cc: Moore, Jessica; Ochoa, Lori; thill@ci.olympia.wa.us
Subject: BNSF Track Abandonment - Olympia, Washington Floodplain Information

Mr. Strickland:

Thank you for your letter, dated July 31, 2006, regarding a request for floodplain information related to the BNSF desire to file a Notice of Exemption with the Surface Transportation Board. Within the letter you had requested whether or not the "proposed abandonment will affect any 100-year floodplains"? There are two locations where the tracks are within the 100-year floodplain, both of which are small "bridge" crossings just north of the 4th Avenue bridge in downtown Olympia. The remaining track area is not subject to regulation under the National Flood Insurance Program. I have attached two Flood Insurance Rate Maps for the area of the project. Should you have any questions or concerns please feel free to contact me at (360) 407-7253.

Regards,

Kevin Farrell
Floodplain Management Specialist
Washington Department of Ecology - SWRO
(360) 407-7253
kfar461@ecy.wa.gov

<<Olympia FIRM 4.tif>>

From: Moore, Jessica
Sent: Wednesday, September 13, 2006 9:14 AM
To: Farrell, Kevin
Subject: Contact Info

Email: Sidney.Strickland@stricklandpllc.com
Phone: 202.338.1325

12/20/2006

From: Tom Hill [thill@ci.olympia.wa.us]
Sent: Thursday, August 10, 2006 12:39 PM
To: Liz.waite@stricklandpllc.com
Subject: STB Docket # AB-6 (Sub # 448X) BNSF Railway - Abandonment Exempt-Thurston County, WA

After reviewing the route of the proposed abandonment and the location in relation to any identified 100-year floodplain, the City of Olympia did ascertain that the area is within a 100-year floodplain as denoted on the FEMA FIRM Panel #5301910004B as revised Dec 26, 2003.

If you need further information please do not hesitate to let us know.

Permitting and Inspection Services Manager
(Building Official/Dev. Eng.)
City of Olympia -Dept. of CP&D
P.O. Box 1967
Olympia, WA 98507-1967
Office - 360-753-8486
Cell - 360-507-9310

Working For the Protection of Life-Environment-Property



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

EXHIBIT L

September 12, 2006

Reply To
Attn Of: ORC-158

Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K St. NW, Suite 101
Washington, D.C. 20007

Dear Mr. Strickland:

Re: STB Docket No. AB-6 (Sub-No. 448X) - BNSF Railway Abandonment in
Olympia, WA

Dear Mr. Strickland:

The U.S. Environmental Protection Agency (EPA) has reviewed your letter to me dated July 31, 2006, concerning the abandonment proceeding referenced above. This abandonment concerns approximately 0.86 miles of railroad line in Olympia, Washington. In your letter, you requested information on whether or not the proposed abandonment could be consistent with applicable water quality standards and whether or not any permits would be required under Section 402 of the Clean Water Act.

From the information provided, including the map, it is evident that this rail line proposed for abandonment runs directly adjacent to Capitol Lake, a navigable water. Beyond the railbed itself, the railroad right-of-way may well extend into Capitol Lake and almost certainly includes jurisdictional wetlands along the lake.

Notwithstanding this presence of jurisdictional wetlands, if the proposed action merely entails the abandonment or railbanking and transfer of the railroad right-of-way, and no discharge of pollutants will occur, EPA agrees that no permits under the Clean Water Act should be required. If, however, the proposed action also entails railroad salvage activities, such as the removal of ties and tracks for any purpose, then Clean Water Act requirements may be implicated. In particular, if salvage activities involve clearing, grading or excavating that will disturb more than one acre of land, such activities must comply with requirements for obtaining a permit under the Clean Water Act National Pollutant Discharge Elimination System (NPDES) to prevent or minimize the discharge of pollutants in storm water runoff from the disturbed areas to waters of the United States.

In Washington State, the NPDES permit program has been delegated to the Washington Department of Ecology (WDOE). WDOE provides NPDES permit coverage for stormwater

discharges from construction activities in the State of Washington through its Construction Stormwater General Permit. Information about this NPDES permit is available through the WDOE website at <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. For Thurston County, WA, you may also contact Charles Gilman of WDOE directly at (360) 407-7451 or chgi461@ecy.wa.gov.

If you or your staff have any general questions for EPA about storm water permitting requirements, please contact Misha Vakoc, Storm Water Program Coordinator, at (206) 553-6650 or vakoc.misha@epa.gov. Legal questions may be directed to me at (206) 553-1185.

Sincerely,

A handwritten signature in black ink, appearing to read "Clifford J. Villa", written in a cursive style.

Clifford J. Villa
Assistant Regional Counsel



STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501

Mailing address: PO Box 48343 • Olympia, Washington 98504-8343

(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

December 4, 2006

Mr. Sidney Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K St. NW, Suite 101
Washington, DC 20007-5108

In future correspondence please refer to:

Log: 022306-03-STB

Property: BNSF Abandonment Hardel Spur (AB-06 Sub#448X)

Re: More Information Needed

Dear Mr. Strickland:

Recently, the Department of Archaeology and Historic Preservation (DAHP) was contacted concerning the abovementioned action. In Washington State, the State Historic Preservation Officer (SHPO) is the executive who heads DAHP. Matthew Sterner, Transportation Archaeologist, and I have reviewed the letter from your office dated November 9, 2006. Our comments are based on the information available at the time of this review and on behalf of the SHPO pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR 800. In regards to the proposed abandonment we offer the following comments for the Surface Transportation Board's (STB) environmental review:

The area has the potential for archaeological and historical resources. Therefore, we recommend a professional archaeological survey be conducted prior to the proposed undertaking being granted. This survey should include an inventory of historic structures along the line and an electronic copy of the Historic Property Inventory forms be submitted to DAHP for our database. The information contained in your letter was not submitted in a format that our department will recognize as consultation that satisfies 49 CFR 1105.8 or Section 106 of the National Historic Preservation Act.

We also recommend consultation with the concerned tribes cultural committees and staff regarding cultural resource issues. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive. These conditions were previously mentioned by SHPO staff in a letter dated August 7, 2006. Please provide this department with an Area of Potential Effect (APE) for this project. This part of the consultation process can be conducted while the Cultural Resources Survey is underway. The previously submitted map did not have the APE highlighted upon it. The APE consultation should also describe the right-of-way in terms of length and width.

Please note that DAHP has recently revised our cultural resource reporting guidelines. These guidelines are available on our website at:

Mr. Strickland
December 4, 2006
Page 2

www.dahp.wa.gov/pages/Documents/documents/CRStandards_004.pdf. A list of qualified Cultural Resource Specialists with expertise in the vicinity of the proposed action can also be obtained from our website. Also note, the letter submitted from your office was addressed to Ms. Anne Haaker who is the Deputy SHPO for the State of Illinois.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Should you have any questions, please feel free to contact me.

Sincerely,



Russell Holter
Project Compliance Reviewer
(360) 586-3533
Russell.Holter@dahp.wa.gov

Cc: Matthew Sterner (DAHP)
Victoria Rutson (STB)



STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501

Mailing address: PO Box 48343 • Olympia, Washington 98504-8343

(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

August 7, 2006

Mr. W. Douglas Buttrey
Chairman
Surface Transportation Board
1925 K Street NW
Washington DC 20423-0001

In future correspondence please refer to:

Log: 022306-03-STB

Property: BNSF Abandonment Hardel Spur (AB-06)

Re: Survey Requested

Dear Mr. Buttrey:

Recently, the Department of Archaeology and Historic Preservation (DAHP) was contacted concerning the abovementioned action. In Washington State, the State Historic Preservation Officer (SHPO) is the executive who heads DAHP. Matthew Sterner, Transportation Archaeologist, and I have reviewed the materials provided for this project by its proponent, the Burlington Northern Santa Fe Railroad (BNSF). Our comments are based on the information available at the time of this review and on behalf of the SHPO pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR 800. In regards to the proposed abandonment we offer the following comments for the Surface Transportation Board's (STB) environmental review:

The area has the potential for archaeological resources. Further, the scale of the proposed ground disturbing actions could destroy any archaeological resources that may be present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted prior to ground disturbing activities. This survey should include an inventory of historic structures along the line and an electronic copy of the Historic Property Inventory forms be submitted to DAHP for our database. We also recommend consultation with the concerned tribes cultural committees and staff regarding cultural resource issues.

If any federal funds or permits are involved Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36CFR800, must be followed. This is a separate process from SEPA and requires formal government-to-government consultation with the affected Tribes and this agency. We would appreciate receiving any correspondence or comments from concerned tribes or other parties concerning cultural resource issues that you receive.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer. Should additional information become available, our assessment may

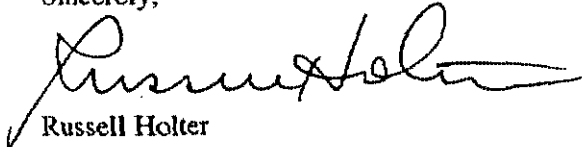


DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

Protect the Past. Shape the Future

be revised. Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please note that DAHP has recently revised our cultural resource reporting guidelines. The guidelines are available on our website at http://www.oahp.wa.gov/pages/Documents/documents/CRStandards_004.pdf. A list of qualified Cultural Resource Specialists with expertise in the vicinity of the proposed action can also be obtained from our website. Should you have any questions, please feel free to contact me.

Sincerely,



Russell Holter
Project Compliance Reviewer
(360) 586-3533
Russell.Holter@dahp.wa.gov

Cc: Matthew Sterner (DAHP)
Sidney Strickland (Strickland & Assoc.)



DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

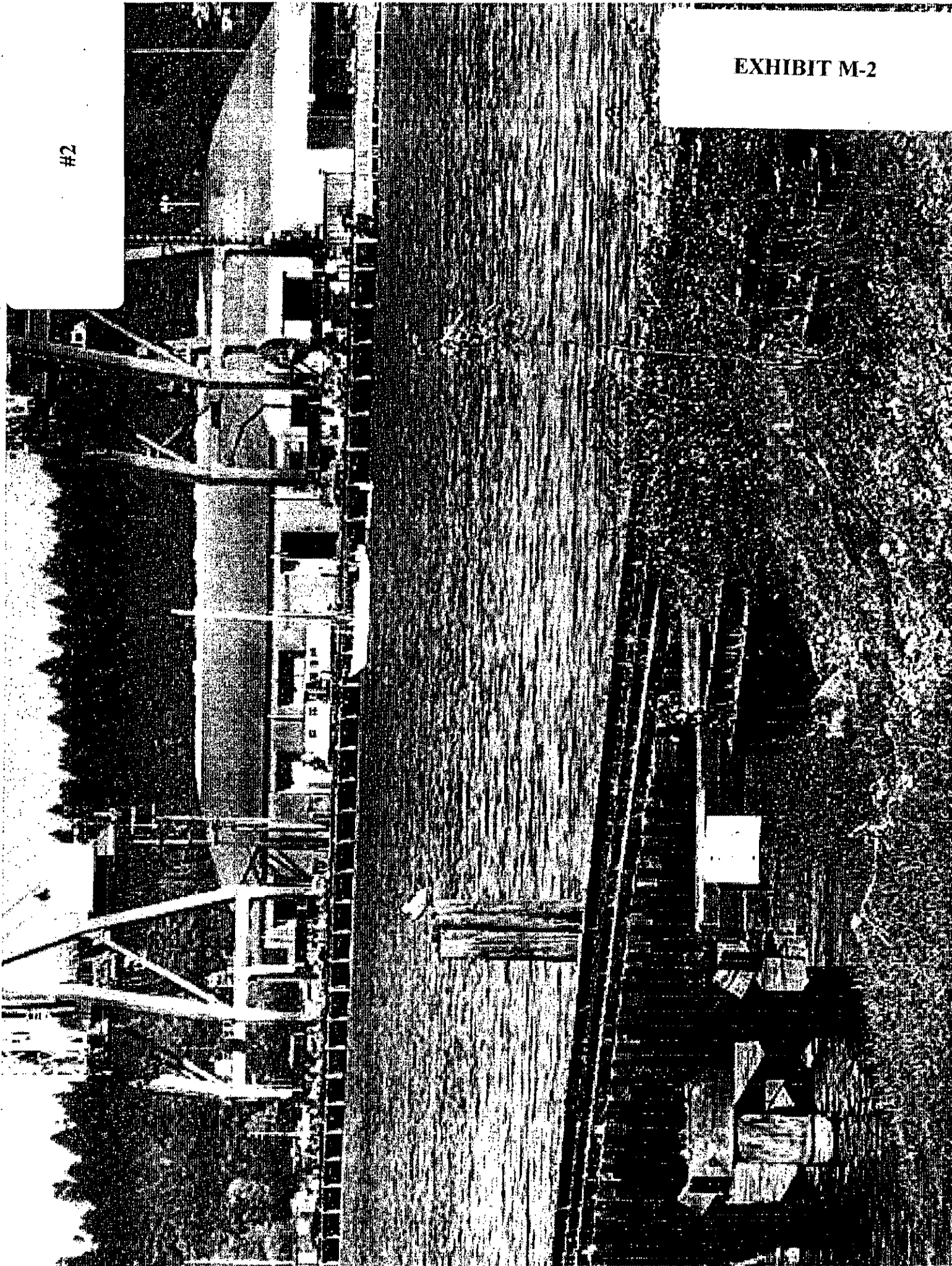
Protect the Past, Shape the Future

EXHIBIT M-1

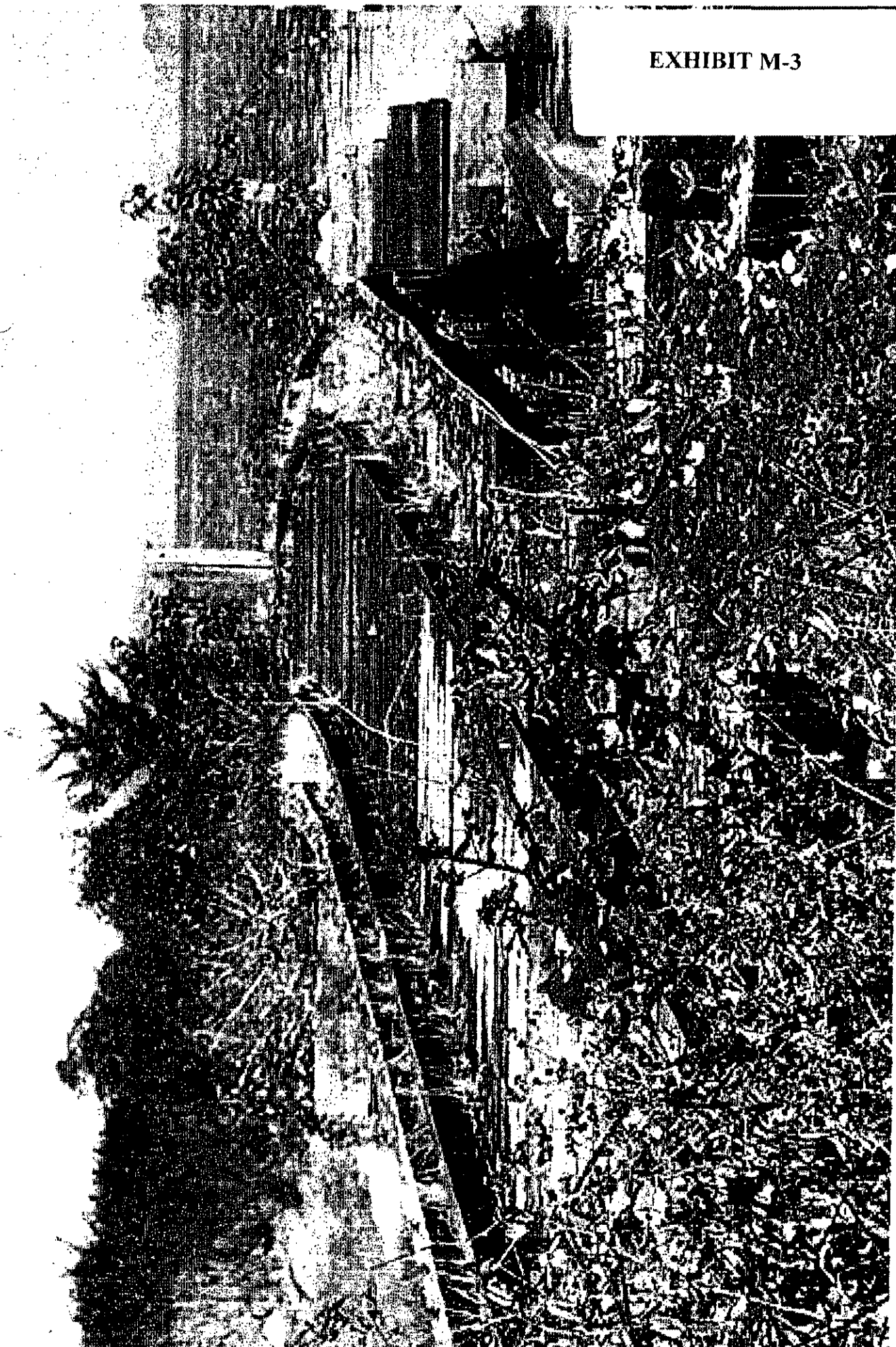
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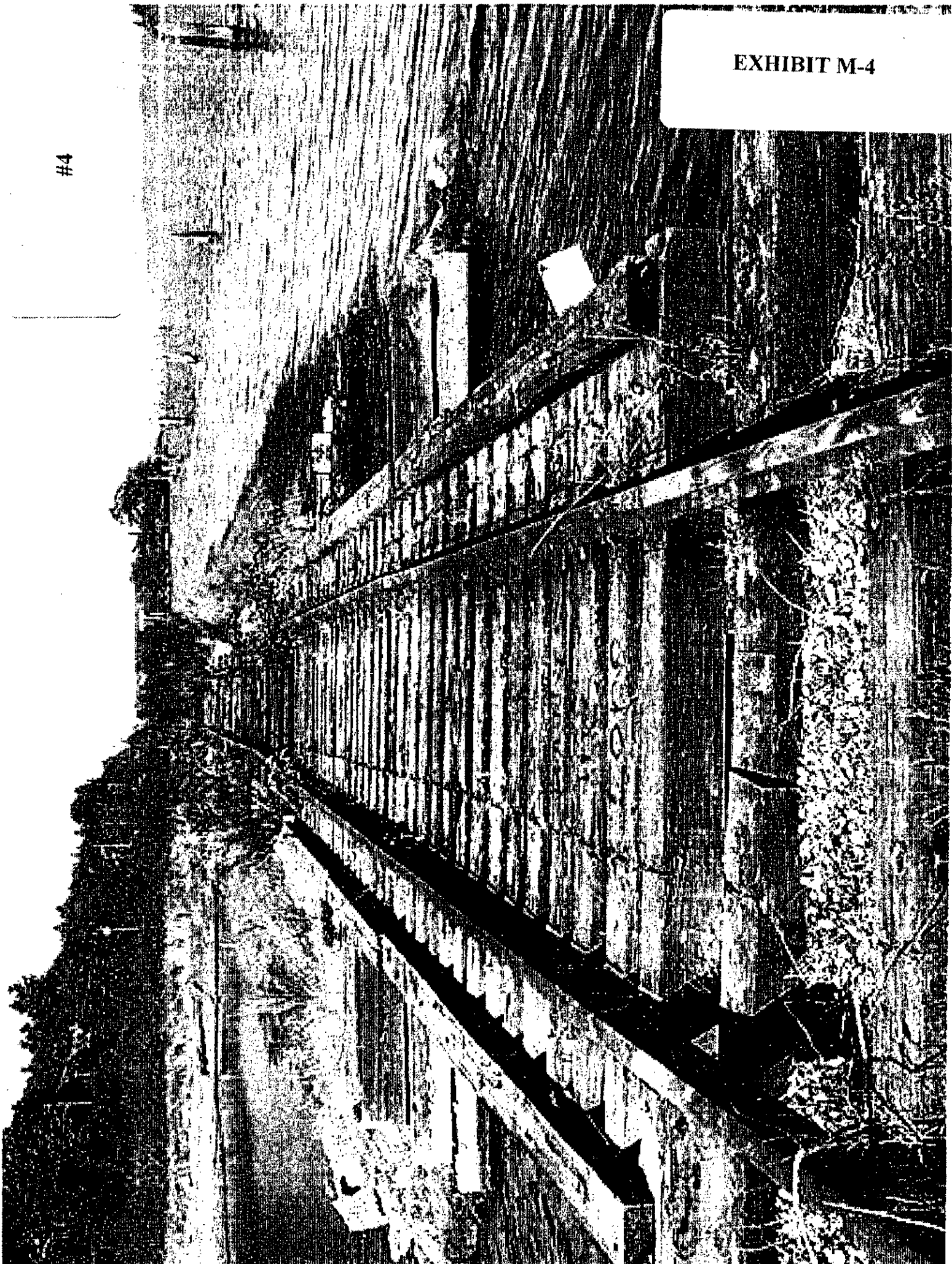
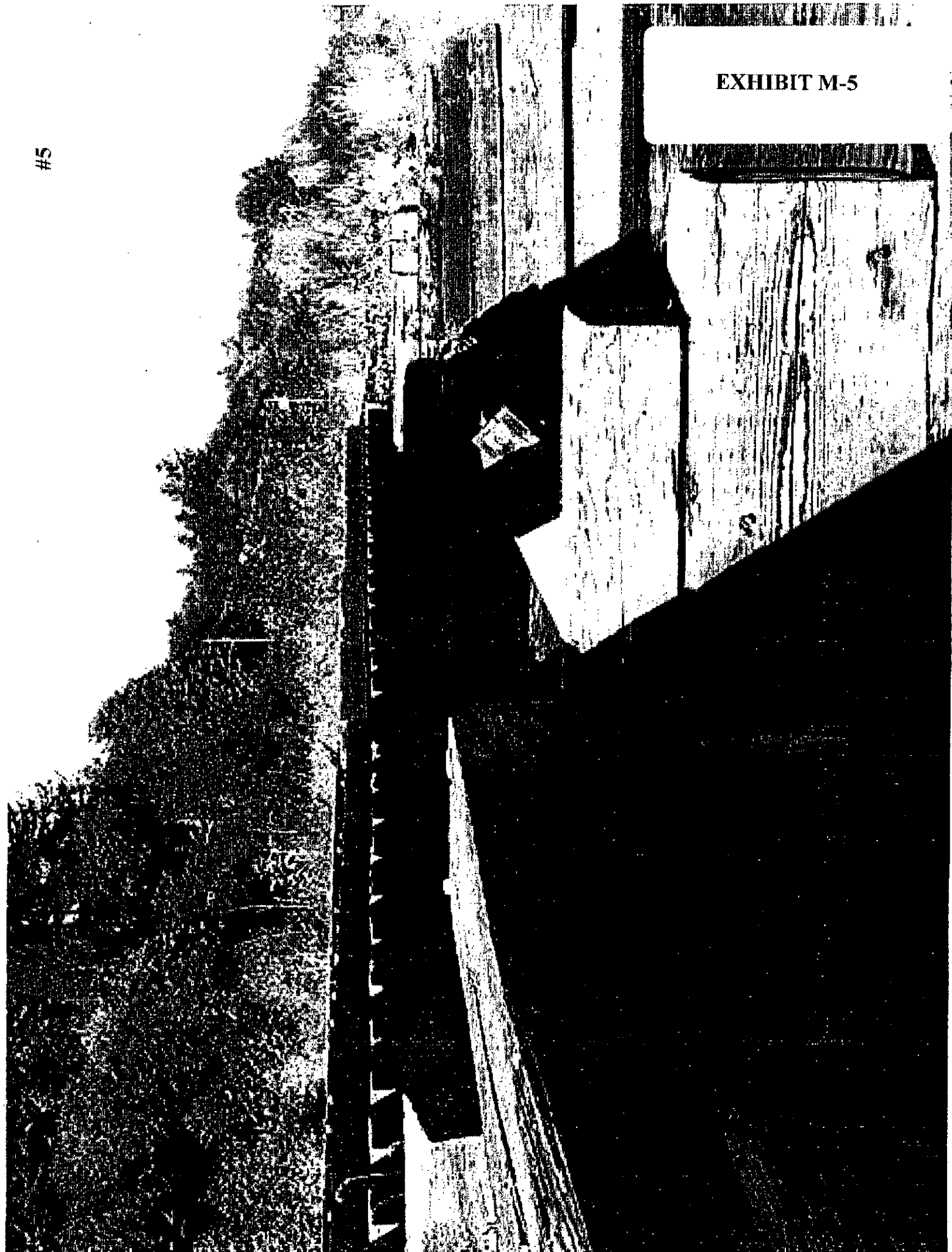


EXHIBIT M-5

#5



CERTIFICATION PURSUANT TO 49 C.F.R. 1105.7(c) and 8(c)

BNSF Railway Company ("BNSF"), by and through its authorized representative, Sidney L. Strickland, Jr., certifies that on February 2, 2007, BNSF sent copies of the foregoing Environmental and Historic Reports by first class mail to the following agencies:

Ms. Victoria Rutson
Chief, SEA
Surface Transportation Board
1925 K Street, N.W.
Washington D.C. 20423-0001

U.S. Bureau of Land Management
1103 N. Fancher Road
Spokane, WA 97212-1200

Jim Green
Seattle District Corps of Engineers
Regulatory Branch
South Branch South Application
Review Section
P.O. Box 3755
Seattle, Washington 98124-3755

Washington Department of Fish and Wildlife
600 Capitol Way N.
Olympia, WA 98501-1091

Washington State Parks and Recreation
Commission
7150 Cleanwater Drive S.W.
P.O. Box 42650
Olympia, WA 98504-2650

Clifford J. Villa
Assistant Regional Counsel
U.S. EPA, Region 10
1200 Sixth Avenue
Seattle, WA 98101

Todd Stamm, Senior Planner
Community Planning and Development Dept.
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1607

USDA Natural Resource Conservation Service
West 316 Boone Avenue
Suite 450
Spokane, WA 99201

U.S. Fish and Wildlife Service, Region 1
Eastside Federal Complex
911 NE 11th Avenue
Portland, OR 97232-4181

Department of Ecology
300 Desmond Drive
P.O. Box 47600
Olympia, WA 98504-7600

Brian Lynn
Shore Lands and Coastal Zone
Management Program
Department of Ecology
P.O. Box 47600
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Office of Archeology and Historic Preservation
P.O. Box 48343
Olympia, WA 98504-8343

Gregory F. Gress, Chief
Pacific Land Resources Program Center
U.S. National Park Service, Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607-4807

Washington State Department of Transportation
Public Transportation and Rail Division
P.O. Box 47387
Olympia, WA 98504-7387

Olympia Planning Commission
c/o Jan Weydemeyer, Senior Planner
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1967

Jim Amador
Marine Terminal Director
Port of Olympia
915 Washington Street NE
Olympia, WA 98501

David Hanna, Associate Director
Olympia Parks, Arts & Recreation Dept.
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1607

Charles Natsuhara
Area Resource Soil Scientist
Natural Resources Conservation Service
1011 East Main, Suite 106
Puyallup, WA 98372

Bill Schuger
Bureau of Land Management
Wenatchee Resource Area
915 Walla Walla
Wenatchee, WA 98801

Kevin Farrell
Floodplain Management Specialist
Department of Ecology
300 Desmond Drive
P.O. Box 47600
Olympia, WA 98504-7600

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Springs, MD 20910-3282

Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504

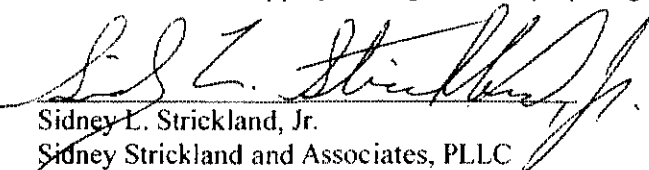
Andrew Wood
Freight Rail Program and Project Manager
Washington State Department of Transportation
Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300

John Grettenberger, Supervisor
Transportation and Planning Branch
U.S. Fish and Wildlife Service
510 Desmond Drive SE
Suite 102
Lacey, Washington 98503

Deborah Coronett
Washington Department of Ecology
Water Quality Program
P.O. Box 47775
Olympia, WA 98504-7775

Tom Hill
City of Olympia
Department of Community Planning and
Development
P.O. Box 1967
Olympia, WA 98507-1967

The required cover letters (pursuant to 49 C.F.R. 1105.11) are attached hereto. BNSF has consulted with all appropriate agencies in preparing the reports.



Sidney L. Strickland, Jr.
Sidney Strickland and Associates, PLLC
3050 K Street N.W.,
Suite 101
Washington, D.C. 20007

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

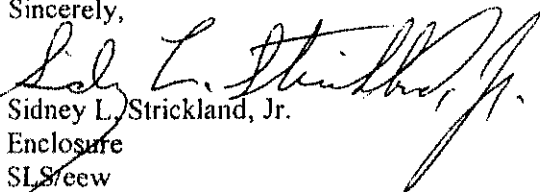
Ms. Victoria Rutson
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Surface Transportation Board
1925 K Street, N.W.
Washington D.C. 20423-0001

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Ms. Rutson:

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Sincerely,


Sidney L. Strickland, Jr.
Enclosure
SLS:reew

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February 2, 2007

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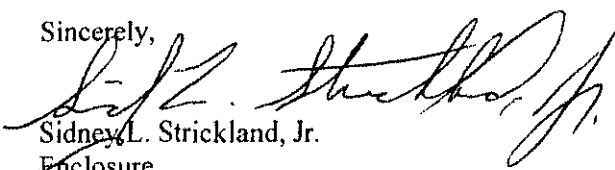
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Thank you in advance for your cooperation.

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February 2, 2007

U.S. Bureau of Land Management
1103 N. Fancher Road
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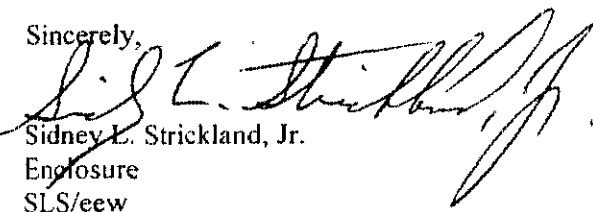
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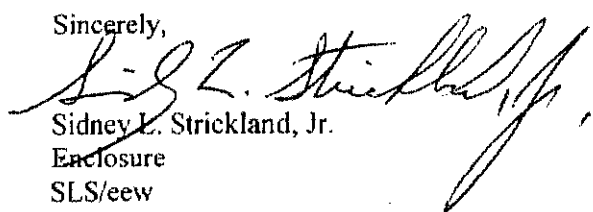
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Sidney.Strickland@stricklandpllc.com

February 2, 2007

Department of Ecology
300 Desmond Drive
P.O. Box 47600
Olympia, WA 98504-7600

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
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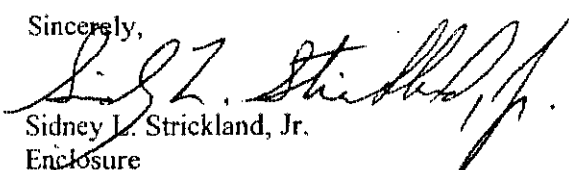
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February 2, 2007

Brian Lynn
Shore Lands and Coastal Zone Management Program
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Lynn:

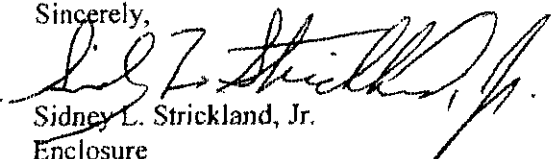
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Washington Department of Fish and Wildlife
600 Capitol Way N.
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February 2, 2007

Washington State Parks and Recreation Commission
7150 Cleanwater Drive S.W.
P.O. Box 42650
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February 2, 2007

Russell Holter, Project Compliance Reviewer
Office of Archeology and Historic Preservation
P.O. Box 48343
Olympia, WA 98504-8343

Log: 022306-03-STB

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February 2, 2007

Clifford J. Villa
Assistant Regional Counsel
U.S. EPA, Region 10
1200 Sixth Avenue
Seattle, WA 98101

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
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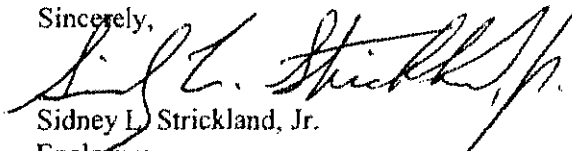
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February 2, 2007

Gregory F. Gress, Chief
Pacific Land Resources Program Center
U.S. National Park Service, Pacific West Region
One Jackson Center
1111 Jackson Street, Suite 700
Oakland, CA 94607-4807

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Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Todd Stamm, Senior Planner
Community Planning and Development Dept.
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1607

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Stamm:

On or about February 22, 2007, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 0.86 miles of railroad line between Engineering Station 476 + 09 and Engineering Station 521 + 42, in Olympia in Thurston County, WA (the "Line"). Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Washington State Department of Transportation
Public Transportation and Rail Division
P.O. Box 47387
Olympia, WA 98504-7387

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Sir or Madam:

On or about February 22, 2007, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 0.86 miles of railroad line between Engineering Station 476 + 09 and Engineering Station 521 + 42, in Olympia in Thurston County, WA (the "Line"). Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Olympia Planning Commission
c/o Jan Weydemeyer, Senior Planner
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1967

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Ms. Weydemeyer:

On or about February 22, 2007, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 0.86 miles of railroad line between Engineering Station 476 + 09 and Engineering Station 521 + 42, in Olympia in Thurston County, WA (the "Line"). Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

National Oceanic and Atmospheric Administration
National Geodetic Survey
1315 East-West Highway
Silver Springs, MD 20910-3282

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Sir or Madam:

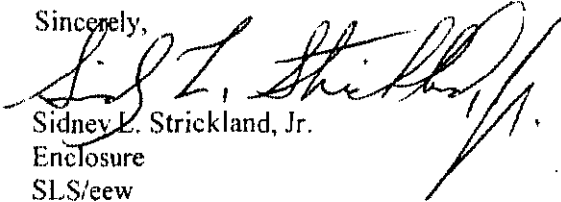
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TELEPHONE: 202-338-1325
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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Jim Amador
Marine Terminal Director
Port of Olympia
915 Washington Street NE
Olympia, WA 98501

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Amador:

On or about February 22, 2007, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 0.86 miles of railroad line between Engineering Station 476 + 09 and Engineering Station 521 + 42, in Olympia in Thurston County, WA (the "Line"). Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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Sidney L. Strickland, Jr.

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TELEPHONE: 202-338-1325
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, WA 98504

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Sir or Madam:

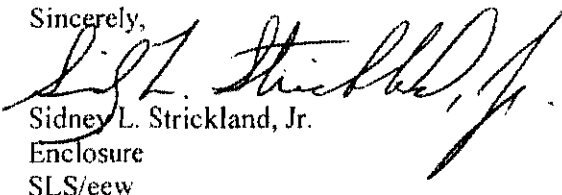
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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

David Hanna, Associate Director
Olympia Parks, Arts & Recreation Dept.
City of Olympia
P.O. Box 1967
Olympia, WA 98507-1607

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Hanna:

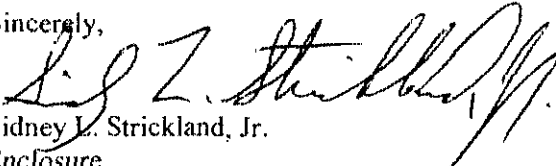
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WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Andrew Wood
Freight Rail Program and Project Manager
Washington State Department of Transportation
Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Wood:

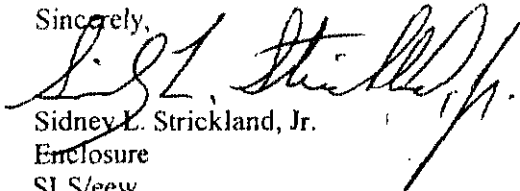
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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Charles Natsuhara
Area Resource Soil Scientist
Natural Resources Conservation Service
1011 East Main, Suite 106
Puyallup, WA 98372

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Natsuhara:

On or about February 22, 2007, BNSF Railway Company ("BNSF") plans on filing with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon 0.86 miles of railroad line between Engineering Station 476 + 09 and Engineering Station 521 + 42, in Olympia in Thurston County, WA (the "Line"). Attached are Environmental and Historic Reports describing the proposed action and any expected environmental and historic effects, as well as a map of the affected area.

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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

John Grettenberger, Supervisor
Transportation and Planning Branch
U.S. Fish and Wildlife Service
510 Desmond Drive SE
Suite 102
Lacey, Washington 98503

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Grettenberger:

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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Bill Schuger
Bureau of Land Management
Wenatchee Resource Area
915 Walla Walla
Wenatchee, WA 98801

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Schuger:

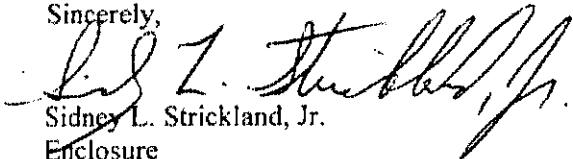
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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Deborah Coronett
Washington Department of Ecology
Water Quality Program
P.O. Box 47775
Olympia, WA 98504-7775

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Ms. Coronett:

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SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Kevin Farrell
Floodplain Management Specialist
Department of Ecology
300 Desmond Drive
P.O. Box 47600
Olympia, WA 98504-7600

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Farrell:

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Your comments will be considered by the STB in evaluating the environmental and/or historic preservation impacts of the contemplated action. If there are any questions concerning this proposal, please contact the undersigned by telephone at (202) 338-1325 or by mail at Sidney Strickland and Associates, PLLC, 3050 K Street, N.W., Suite 101, Washington, DC 20007.

Thank you in advance for your cooperation.

Sincerely,


Sidney L. Strickland, Jr.

Enclosure
SLS/ew

SIDNEY STRICKLAND AND ASSOCIATES, PLLC
3050 K ST. N.W., SUITE 101
WASHINGTON, DC 20007-5108
TELEPHONE: 202-338-1325
FAX: 202-295-3854

SIDNEY L. STRICKLAND, JR.
Sidney.Strickland@stricklandpllc.com

February 2, 2007

Tom Hill
City of Olympia
Department of Community Planning and Development
P.O. Box 1967
Olympia, WA 98507-1967

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

Dear Mr. Hill:

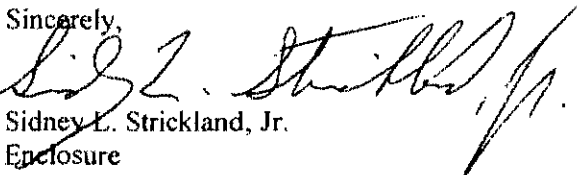
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SIDNEY L. STRICKLAND, JR.
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February 2, 2007

Jim Green
Seattle District Corps of Engineers Regulatory Branch
South Branch South Application Review Section
P.O. Box 3755
Seattle, Washington 98124-3755

***Re: STB Docket No. AB-6 (Sub. No. 448X) BNSF Railway Company—Abandonment
Exemption – in Thurston County, WA***

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